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Letter dated 08 May 2009 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

According to mass media reports, the Republic of Armenia is planning to hold on 23 May 2009, through its subordinate separatist regime so-called "parliamentary elections" in the occupied Nagorny Karabakh region of the Republic of Azerbaijan. In this regard, on instructions from my Government, I have the honour to state the following.

The ongoing armed conflict between Armenia and Azerbaijan has resulted in the occupation of almost one fifth of the territory of Azerbaijan and has made approximately one out of every eight persons in the country an internally displaced person or refugee. 20,000 people have been killed, 50,000 people have been wounded or have become invalids and about 7,000 citizens of Azerbaijan are still missing. The most serious international crimes have been committed during the conflict.

Armenia used military force to occupy the territory of Azerbaijan and to establish on it the ethnically constructed subordinate separatist entity, which serves the cause of Armenia's political, military, economic and other support. It has been internationally recognized that Azerbaijani territories are under occupation and that Armenia is an occupying Power within the meaning of the relevant international legal provisions.

The Republic of Azerbaijan has repeatedly stated that, despite ongoing political efforts towards the earliest resolution of the conflict on the basis of the universally accepted norms and principles of international law, the policy and practice of the Republic of Armenia, the occupying Power, implemented inter alia through various illegal activities in the occupied territories of Azerbaijan, clearly testify to

its intention to secure the annexation of these territories (see, for example, the most recent document circulated by Azerbaijan: A/64/760-S/2010/211).

It is not the first time that the Republic of Armenia, in open defiance of the Charter of the United Nations, fundamental principles of international law as well as the Constitution and national legislation of the Republic of Azerbaijan, is holding so-called "elections" in the occupied Nagorny Karabakh region of Azerbaijan.

It is well established, however, that democracy cannot be propagated by the sword and that an illegal act cannot produce legal rights. Therefore, against the background of continuing aggression, occupation and ethnic cleansing of the captured territories of Azerbaijan, the arranging of any kind of voting process there cannot be recognized as legally valid and affects the pre-existing legal status of these territories, which remain Azerbaijani in international law.

The international community has unequivocally condemned all previous "elections" in the occupied Nagorny Karabakh region of Azerbaijan. The Republic of Azerbaijan expects therefore that the United Nations and its Member States will voice again their unequivocal protest against the above-mentioned illegal action, which undermines its sovereignty and territorial integrity, jeopardizes the ongoing political efforts towards the settlement of the conflict and serves to further destabilize the region of South Caucasus.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 14 and 18, and of the Security Council.

(*Signed*) Agshin **Mehdiyev**
Ambassador
Permanent Representative

United Nations S/2010/240

Security Council

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Report of the Secretary-General pursuant to paragraph 6 of resolution 1883 (2009)

I. Introduction

1. In paragraph 6 of resolution 1883 (2009), the Security Council requested the Secretary-General to report to the Council on a quarterly basis on the fulfilment of the responsibilities of the United Nations Assistance Mission for Iraq (UNAMI). The present report is the third submitted pursuant to that resolution.

2. The report provides an update on United Nations activities in Iraq since the last report (S/2010/76), dated 8 February 2010, with a focus on the steps taken to implement resolution 1883 (2009). It presents a summary of key political developments during the period under review, as well as regional and international events concerning Iraq. The report provides an update on the activities of my Special Representative for Iraq, as well as operational and security matters.

II. Summary of key political and security developments in Iraq

A. National elections

3. The reporting period witnessed the holding of general elections for the Council of Representatives on 7 March 2010. UNAMI provided support to the Independent High Electoral Commission and the Government of Iraq throughout the process. The Commission certified 86 political entities and coalitions, which nominated more than 6,000 candidates to contest the 325 seats in the Council of Representatives. An estimated 12 million of the 18.9 million eligible voters, or approximately 62.4 per cent, turned out to cast their ballots.

4. Prior to the election, the composition of the Council of Representatives had been increased by law to 325 seats from 275. The electoral constituencies were based on the current governorate administrative boundaries and on an open list proportional representation electoral system. The allocation of seats under the electoral law was considered to be highly complex, accommodating four different minority groups (Christians, Shabak, Yazidi and Sabean), seats reserved for a national level constituency, and a constitutionally imposed women's quota of 25 per cent. UNAMI, with support from the Office of the United Nations High Commissioner for Refugees (UNHCR) and others in the United Nations country

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team, worked successfully to ensure that Christians displaced in the days leading up to the 7 March elections were able to exercise their right to vote at special polling stations.

5. The election process was divided into three separate and parallel events, all of which were administered by the Independent High Electoral Commission with the support of UNAMI: the Commission implemented special needs voting for police and military personnel, detainees and hospitalized voters in Iraq on 4 March; out-of-country voting between 5 and 7 March for Iraqis residing in 16 countries and across 67 cities (Australia, Austria, Canada, Denmark, Egypt, Germany, Islamic Republic of Iran, Jordan, Lebanon, Netherlands, Sweden, Syrian Arab Republic, Turkey, United States, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland); and the general election day for all Iraqi registered voters.

6. On polling day, 7 March, all but 10 of the 49,640 official polling stations opened across Iraq as scheduled at 0700 hours. The few remaining polling stations opened after materials arrived and correct voter lists were delivered. In the first three hours of polling there were approximately 40 explosions in Baghdad. Despite these attempts at intimidation by insurgent groups early on polling day, the overall environment in which the poll was conducted was relatively free of violence and without any major security incidents that affected the polling itself.

7. Reports were received that some voters encountered difficulties in locating their polling centres, but much less than in the election held in January 2009, thus indicating an improvement in the technical capacity of the Independent High Electoral Commission and the success of voter education campaigns. The polls closed as scheduled at 1700 hours and, for the first time, many Iraqi television channels broadcast the counts taking place.

8. Prominent religious, civil society and political figures encouraged the active participation of the Iraqi people in the electoral process. UNAMI, the international diplomatic community, international and national observers and monitors all welcomed the overall integrity and transparency of the electoral process, which was widely assessed as having been conducted according to international standards.

9. Civil society participation in the electoral processes was strong. The Independent High Electoral Commission accredited more than 114,500 domestic observers, 657 international observers and 476,366 political entity agents to observe the electoral process, including the polling, ballot count and tally. UNAMI deployed 13 poll-watch teams, which visited 38 locations in 11 governorates to watch the electoral process. A total of 35 international organizations or entities registered to observe the process, with over 492 national observer organizations being accredited. International observers were deployed throughout the country, engendering further confidence in the electoral process. The Independent High Electoral Commission also accredited members of the diplomatic community operating in Iraq to observe the process, including the European Union, the League of Arab States and the Organization of the Islamic Conference.

10. On the eve of the special needs voting, the Accountability and Justice Commission provided the Independent High Electoral Commission with a list of candidates to be struck from the ballot. In that instance, the Electoral Commission did not remove the candidates, but the Accountability and Justice Commission appealed that decision with the Electoral Judicial Panel after the election. The

Accountability and Justice Commission also requested the disqualification of nine candidates whom the preliminary election results indicated had won seats. Following the announcement of the preliminary election results, the Accountability and Justice Commission transmitted to the Electoral Judicial Panel a further list of 52 candidates for disqualification. The effects of the candidate vetting and disqualification process, particularly in relation to the de-Baathification exercise (as opposed to the Electoral Commission's own candidate qualification process), remain to be fully assessed. Before the election, my Special Representative for Iraq called for greater transparency in relation to the de-Baathification process and the timely resolution of appeals. The United Nations has repeatedly stressed that the vetting of candidates needs to be transparent, non-discriminatory and in line with Iraqi law and international standards. It is particularly important that this process is not influenced or driven by political motivations.

11. On 26 March the Independent High Electoral Commission released the preliminary election results, which showed that the Al-Iraqiya bloc, headed by former Prime Minister Iyad Allawi, led with 91 seats. Prime Minister Maliki's State of Law coalition ranked second with 89 seats, followed by Iraqi National Alliance with 71 seats. Kurdish representatives won a total of 57 seats, including 40 for the Kurdish Alliance.

12. Following the announcement of the results by the Independent High Electoral Commission, 335 appeals on the preliminary results were submitted to the Electoral Judicial Panel. The majority of those appeals were lodged either by individual candidates challenging their own vote count or were related to the replacement of male winners by female candidates in order to meet the constitutional female quota for the Parliament (set at 25 per cent).

13. Some political entities called for a manual recount in 4 of 18 provinces, including a request in Baghdad by the State of Law coalition, which stated that its own investigation had found manipulation of up to 750,000 votes. However, their call was rejected by Al-Iraqiya and other political blocs and parties. On 19 April, in determining the appeal lodged by the State of Law coalition, the Electoral Judicial Panel ordered a partial recount of all votes cast in Baghdad province, accounting for 68 seats in the Parliament. The partial recount process began on 3 May and continues. As at 10 May, over half of the votes had been recounted, with no major discrepancies or evidence of fraud found. On the same day, the Independent High Electoral Commission announced that it would shortly submit the names of 244 winners (from the total of 325 seats) in 17 governorates (all except those in Baghdad and some minority and national compensatory seats) to the Supreme Court for certification.

14. In parallel, on 25 March the Federal Supreme Court issued a non-binding opinion on a petition lodged by the State of Law coalition concerning the proper interpretation of article 76 of the Iraqi Constitution, which provides for the largest bloc in the Parliament to nominate the Prime Minister. In its opinion, the Federal Supreme Court stated that the "largest bloc", as stipulated in the Constitution, either refers to a list before the elections or to a coalition holding the largest number of parliamentary seats during the first session of the Council of Representatives. Once the election results are ratified by the Supreme Court, the new President will be elected with a required two-thirds majority of Parliament, and, in accordance with the Constitution, will subsequently ask the largest bloc in the Council of Representatives

to nominate the Prime Minister. The Prime Minister in turn must submit to, and receive, a vote of confidence by the Parliament within 30 days of appointment.

15. The major political blocs have extensively engaged in talks on forming alliances and on identifying a suitable candidate for Prime Minister. The process of forming the next Government is expected to take a considerable period of time. Initially, the process remained at an informal level, in part because of the focus on the recount and on further appeals before certification. On 4 May, the State of Law coalition and the Iraqi National Alliance announced that they would form a larger coalition that would give them a total of 160 seats in the new Parliament, three seats short of a majority. The two lists also announced that the negotiations between them on the procedures for nominating a Prime Minister will continue. My Special Representative met with leaders of the winning blocs in early May, including Mr. Maliki and Mr. Allawi, to urge the start of the government formation process in a cooperative and inclusive manner. He also offered the United Nations assistance in the process, if required by the parties.

16. After the election, a number of violent attacks were launched. On 4 April, several attacks on some embassies and neighbourhoods of Baghdad took place, followed on 23 April by a string of bomb attacks targeting residents in Sadr City. In the most serious security development since the elections, a series of attacks across Iraq on 10 May, including in the relatively calm areas of southern Iraq, left over 100 people killed and more wounded. Notwithstanding these attacks, the Iraqi security forces have demonstrated their increased capacity to assume greater security responsibilities, evidenced by their successful maintenance of security during the March elections.

B. Arab-Kurdish relations in northern Iraq

17. During the reporting period, the United States military began the implementation of a security plan for Kirkuk and other internally disputed areas based on joint action and coordination by a unit composed of the Iraqi Army, the Kurdistan Regional Government (KRG) Peshmerga and the Iraqi police. To date, the joint security action has resulted in the establishment of a network of checkpoints and joint patrols around various cities as well as the training of security personnel.

C. Regional developments

18. Iraq attended the summit of the League of Arab States in Sirte, Libyan Arab Jamahiriya, on 27 and 28 March 2010. The meeting decided that the next summit would be held in Baghdad. During the reporting period, Iraqi officials visited a number of regional countries. Iraqi President Talabani travelled to the Islamic Republic of Iran with Vice-President Abdul-Mahdi for the Nowruz celebrations on 27 March. President Talabani also visited Saudi Arabia on 11 April and was accompanied by Kurdistan Regional Government President Barzani. On 27 April, Turkish Deputy Minister for Foreign Affairs Sinirlioglu met with Kurdistan Regional Government President Barzani in Erbil and extended an invitation for him to visit Turkey. Vice-President Abdul-Mahdi visited the Syrian Arab Republic, Turkey, Kuwait and Jordan between 3 and 8 April. From 5 to 14 April, Iraqi Vice-President Al-Hashemi visited Qatar, Bahrain, Kuwait and Saudi Arabia.

19. On 27 April, Iraq announced the appointment of Mohammed Hassan Ismail al-Ghoum as Ambassador to Kuwait. This is Iraq's first ambassadorial appointment to Kuwait since the 1990 invasion. During the reporting period, Bahrain became the most recent nation to reopen its embassy in Baghdad.

20. I am also pleased to report on progress towards the finalization of a Kuwaiti grant to assist the Iraqi Ministry of Human Rights to localize, identify and exhume human remains. It is hoped that the capacity-building project, administered by UNAMI and the United Nations Office for Project Services in support of the mandate of my High-level Coordinator on missing Kuwaiti persons and property, Gennady Tarasov, will further the momentum towards cooperation and build confidence between the two countries. My High-level Coordinator visited Kuwait during the reporting period from 15 to 19 March to meet with officials attending the meeting of the Technical Sub-Committee of the Tripartite Commission, where a positive atmosphere, as a result of practical Iraqi actions and a supportive Kuwaiti attitude, was reported. However, I regret to report that the Government of Iraq has yet to respond to repeated requests for the implementation of the final phase of the Iraq-Kuwait Boundary Maintenance Project mandated by Security Council resolution 833 (1993).

D. International development

21. On 22 March, I circulated a letter from the International Atomic Energy Agency (IAEA) to the Security Council confirming that IAEA had been receiving excellent cooperation from Iraq in the implementation of its comprehensive safeguards agreement, thus allowing IAEA to effectively and efficiently conduct its safeguard activities. The letter also notes that Iraq has been working closely with IAEA in providing training to responsible Iraqi officials and that Iraq is in the process of updating its national legislation relevant to the application of safeguards.

22. The Security Council meeting on the report of the Secretary-General pursuant to paragraph 3 of resolution 1905 (2009) took place on 6 April, where the Council was briefed by the President of the Iraqi Committee of Financial Experts, Abdul Basit Turki Saeed, and United Nations Controller, Jan Yamamoto. Mr. Saeed raised three issues associated with the Government report: (i) the action plan and timeline for the transition to alternate arrangements for the Development Fund for Iraq; (ii) the settlement of claims and debts inherited from the previous regime; and (iii) the assessment of progress made in the administrative and financial control over the current Development Fund for Iraq. The Controller briefed the Council on the activities of the Fund and the International Advisory and Monitoring Board for Iraq, the legal issues and options to be considered to implement successor arrangements, and the assessment of progress of the Government of Iraq in preparing for the successor arrangements for the Fund. The Controller noted that once the Fund becomes fully nationally owned and controlled, privileges and immunities associated with the Fund will cease to exist unless otherwise decided by the Security Council.

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1. Objeto y contrato

1.1. En virtud del [...] de [...] de [...], [...] encomienda a [...] la [...] de [...] en el [...] de [...] de [...] (en adelante, el "[...]"). [...] se compromete a [...] el [...] de [...] de [...] de

58. I urge in the strongest words against the Division commonly to Mosul beginning in January, resulted in the displacement of 200 families (1,140 people) to neighbouring areas. Under the leadership of my Humanitarian Coordinator for Iraq, the United Nations country team worked diligently with its partners and local authorities to ensure that humanitarian needs were met, providing necessary emergency assistance in the form of food and non-food items. It is encouraging that nearly two thirds of these families have now returned to their homes. Nonetheless, ongoing violence, deliberate attacks and humanitarian space constraints continue to undermine the protection of civilian populations, the human children and non-combatants. On 2 May, 11 persons, five children and two injured when a vehicle-borne improvised explosive device and a roadside improvised explosive device exploded near a convoy of buses carrying Shiite pilgrims returning from Karbala to Al-Hamdaniyah. Al the east of Mosul city in Nineveh Governorate, in the University of Mosul. It is not clear who was behind the violence, but the incident has raised serious concern regarding the safety of persons in the community.

59. United Nations also have brought hardship to some communities in Iraq. In response to flooding in Diyala affecting 400 families, United Nations agencies and NGOs, in coordination with the Iraqi security forces and local authorities, provided emergency aid to the affected population. These events highlight the critical need for the ongoing support to the Government for Iraq on the creation of a disaster risk reduction framework.

60. The United Nations continues to support the Government of Iraq in its goal to assist Iraq in removing mines and unexploded ordnance by 2010, in accordance with the Ottawa Treaty. The United Nations continues to support the Government in the development of a national mine action strategy, while facilitating mine risk education reaching 150,000 Iraqis through key partners. I welcome the progress achieved so far. We team in Iraq will further accelerate efforts by providing prevention tools, awareness-raising and rehabilitation processes in support of the Government efforts to fully protect the civilians of Iraq from the legacy of past conflicts.

Human rights

61. The UNAMI Human Rights Office, with assistance from the Office of the United Nations High Commissioner for Human Rights (OHCHR), continued to assist in building the capacity of both the Government of Iraq and civil society organizations to improve human rights. As previously reported, Iraq adopted in November 2008 a law establishing the Independent High Commission for Human Rights. UNAMI anticipates it will resume its technical assistance in the process to establish the Commission as soon as the newly elected Government has been formed.

62. The UNAMI Human Rights Office, in partnership with UNICEF, continued to strengthen the monitoring and reporting mechanism under Security Council resolutions 1612 (2005), 1882 (2009) and 1998 (2009), for grave violations of children's rights in armed conflict. From January to March, 73 reports of 205 named MOD staff were received. During that period, the verification rate of reported incidents increased from 12.6 per cent in January to 61.1 per cent, a marked improvement.

65. As a positive development, in late January, the Iraqi Presidency Council approved a new law, drafted with the support of the United Nations, on NGOs following several years of delay. The law is considered by most NGOs and the civil society community as preserving the independence and the integrity of NGOs in conducting their operations in Iraq.

66. In February the Universal Periodic Review Working Group, operating under the auspices of the Human Rights Council, reviewed Iraq's compliance with international human rights standards. The Working Group called upon the Government of Iraq to sign and ratify or accede to nine outstanding international human rights instruments, and to incorporate them into domestic legislation; declare a moratorium on the death penalty; comply with international standards relating to detention and imprisonment; and ensure transparency and accountability in election processes. Recommendations were also made to the Government of Iraq to introduce measures aimed at ensuring the empowerment, the equality and the access to justice of women in Iraq. The Government is currently examining these recommendations and will provide its response at the session of the Human Rights Council in June 2010.

67. In the context of the universal periodic review process, the Government of Iraq also made advance voluntary pledges to ratify or accede to three international human rights conventions and review its current reservations to previously ratified human rights covenants and conventions; to provide regular reports to United Nations human rights treaty bodies, to cooperate with special procedures of the Human Rights Council; to bring domestic legislation into line with international human rights standards; and to establish an independent national human rights institution. Throughout the universal periodic review process, UNAMI, with others in the United Nations country team, was active in building the capacity of the Government and members of civil society to fully participate in the universal periodic review process, as well as other treaty-based reporting mechanisms.

68. In line with article 45 of the Convention on the Rights of the Child, UNICEF supported officials from the Government of Iraq to undertake a course provided by the Arab Institute for Human Rights in Tunisia. With its now increased capacity, the Government of Iraq will submit a progress report on its implementation of the Convention on the Rights of the Child to the Committee on the Rights of the Child in the fourth quarter of 2010.

69. While noting some improvement in the security situation in Iraq, including a reported reduction in the number of civilian deaths, and developments in the area of governance, UNAMI remains concerned about deficits in the administration of justice, the management of prisons and detention centres, violence against women, and lack of child protection mechanisms. Significant progress is still needed to ensure the rule of law and to systematically address the issue of impunity for past human rights violations.

70. UNAMI is concerned about the legality of safety of criminal convictions based on evidence obtained through confessions under duress, the Central Criminal Court of Iraq continued to hand down death sentences without due regard to international standards enshrined in article 14 of the International Covenant on Civil and Political Rights. Most recently, on 13 January, 11 persons were executed, bringing the total number of executions since June 2009 to over 122. This is despite evidence indicating systemic problems in the application of due process and fair trial

guarantees that fall short of international standards. Consequently, UNAMI and agencies in the United Nations country team have called upon the Government of Iraq to suspend application of the death penalty in line with the moratorium called for by the General Assembly, in its resolution 62/149.

51. UNAMI continued its monitoring of prisons and places of detention, complementing similar activities by the Ministry of Human Rights and the International Committee of the Red Cross. Both the Ministry of Human Rights and the Human Rights Committee of the Council of Representatives reported abuses in places of detention controlled by ministries other than the Ministry of Justice (Ministry of the Interior, Ministry of Defence). Detention monitors report increasing difficulties with access to these places of detention, raising concerns about the safety of detainees held in such facilities.

52. In March, there were allegations from the Governor of Ninewa that detainees from that governorate were held in a prison facility in Baghdad, outside the jurisdiction of the Ministry of Justice, and were subjected to abuse and torture without due process. I note that the Government of Iraq has closed the facility. As with other cases in the past, the United Nations urges that these allegations be investigated and those responsible brought to justice.

53. UNAMI continues to monitor the situation in Camp Ashraf in Diyala Governorate. In recent months, Iraqi security forces have not made any further attempt to relocate members of the Peoples Mujahedin of Iran resident in the camp. Although no significant outbreaks of violence have occurred during the reporting period, distrust and tensions between both sides remained, with limited cooperation regarding access to services and supplies in the camp.

54. UNAMI, while reiterating the right of the Government of Iraq to exercise its authority over Camp Ashraf and the obligation of the camp's residents to fully respect the law and the authority of the Government of Iraq, has continued to advocate for the residents' unhindered access to goods and services of a humanitarian nature, as well as for their right to be protected from arbitrary mass displacement or forced repatriation against their will in violation of the universally accepted principle of non-refoulement. UNAMI remains committed to assisting both parties find an acceptable resolution to this problem.

Security, operational and logistic issues

Security

55. Hostile groups continued to demonstrate their determination and resolve by carrying out two significant bombing attacks in Baghdad during early April and a series of attacks across Iraq in early May causing hundreds of casualties. Al-Qaida in Iraq claimed responsibility for the attacks against embassies in Baghdad and residential targets in mainly Shi'a districts of the capital in early April. As a result of these attacks, a United Nations national staff member living outside Baghdad's International Zone, and her son, sadly lost their lives. The International Zone, and Baghdad International Airport where UNAMI has a permanent presence, are subject to occasional indirect fire attacks. The Al-Qaida group in Iraq has reportedly reiterated its intent to continue its campaign of violent activities against diplomatic corps, embassies and international organizations in Iraq.

56. The general security situation in Baghdad is assessed as fragile. Incident levels for most areas of the capital remained relatively stable throughout April. After a brief spike in reported incidents during the election period, levels throughout April subsided to those observed prior to 7 March. There was no major violence observed in Baghdad related to the announcement of the preliminary election results on 26 March. However, the targeting of Government of Iraq officials, senior officers of the Iraqi security forces, Awakening Council members and prominent citizens continue unabated.

57. In the north, incidents appear to have shifted into the outer districts of Mosul as a result of security operations in the city since the March elections. The Iraqi security forces remained the focus of Improvised Explosive Device attacks in Mosul in retaliatory attacks for past operations, as well as the recent "Ninewa Wall" security operation. Ongoing security operations in the city continued to suppress potential attacks, and it appears that they have contributed to a reduction in overall reported incidents. Still, a continuation of current activities is expected as Al-Qaida in Iraq and affiliated groups attempt to retain their remaining strongholds in the province.

58. Incidents in the north central regions of Iraq continue to revolve around Kirkuk. Tensions are still present but have taken the backstage since the elections. The Iraqi security forces remain the predominant target of attack in areas inside and surrounding Kirkuk City, thought to be due to their increased visibility as the United States Forces in Iraq (USF-I) continue their withdrawal. Increased security operations after March have restricted most of the usual armed opposition groups' movements and activities in these districts. Emerging from the elections, there is no clear indicator of how the security situation will unfold in Kirkuk; however, Arab-Kurd tensions over the ownership of the city are likely to remain after the new Iraqi Government has been named. In addition to the usual attacks on the Iraqi security forces in these provinces, there was an upsurge recorded in attacks on Awakening Council members as insurgents remain focused on targeting former compatriots who have sided with the Government.

59. The Iraqi security forces remained the target of violent attacks in Ramadi and Fallujah during the period, including a number of suicide attacks aimed at Iraqi police stations and civilians in the Ramadi City area.

60. Activity in southern Iraq has followed previously reported trends, with the majority of attacks occurring around Hilla in the north Babylon province. The targeting of civilians, Government officials, Iraqi security forces commanders and Awakening Council members constitutes the main focus of these attacks. Incident levels remain low in Basra.

Operations and logistics

61. During the reporting period, UNAMI successfully completed the technical evaluation for the architectural and engineering services for the design of the future United Nations integrated headquarters compound in Baghdad, in close coordination with the Department of Field Support, the Department of Safety and Security, the Department of Management and the Office of Legal Affairs. The contract has been signed and design work is progressing as stipulated in the contract.

62. In view of the planned drawdown of the USF-I forces and the inevitable reduction in their capacity to provide security and logistical support to UNAMI, the Mission, following guidance and advice of a United Nations Headquarters interdepartmental planning team, has started necessary actions to ensure that appropriate alternate arrangements will be put in place, including the deployment of additional United Nations air assets. Additional costs in this regard will be included in the budget submission for 2011. I would like to emphasize the critical importance of such support in order to safeguard the conditions for UNAMI and the United Nations country team to continue and expand their role in support of the Iraqi people. In the absence of increased resources, a reduction of presence on the ground would likely be necessary, assuming unchanged patterns of security.

IV. Observations

63. The national elections for the Council of Representatives were a testament of the Iraqi people's determination to exercise their democratic right to vote and elect a Government that will shape the country's future for the next four years. Millions across the country cast their ballots in an electoral process that was broadly participatory and inclusive. During the lead up to the polls, and the day of the voting, there were relatively few incidents of violence and voter turn out was strong. I commend the Independent High Electoral Commission for its work in organizing these elections in a professional manner and demonstrating its improved capacity to conduct elections on a nationwide scale. The Iraqi security forces also deserve credit for doing their utmost to provide a generally secure environment for the voting to take place.

64. I am pleased that the United Nations has been able to provide valuable technical assistance and expert advice to the Independent High Electoral Commission. As has been the case during the past three elections and a constitutional referendum in Iraq since 2003, the United Nations assisted in drafting key electoral legislation, developing Electoral Commission rules and regulations, and assisting in public outreach. I would also like to thank members of the diplomatic community operating in Iraq who observed the process, including the European Union, the League of Arab States and the Organization of the Islamic Conference. Also, I commend the keen interest that Iraqi civil groups took in the conduct of the national election.

65. As noted, all election complaints that have been filed are being vetted by competent electoral and judicial bodies and the decision to conduct a recount in Baghdad was made via a legitimate legal process. UNAMI has been assisting the Independent High Electoral Commission in developing clear protocols and procedures to ensure that the recount is conducted in a transparent and efficient manner. Once the recount is completed, I would urge all political entities and their constituents to abide by the outcome. I also call on all concerned to remain patient and exercise restraint while the complaints and associated appeals processes are concluded and the electoral results are ratified by the Federal Supreme Court.

66. The coming months will be a critical period for Iraq as ongoing negotiations to form a new Government intensify. A long, drawn out Government formation process will not serve the interests of the Iraqi people. I therefore urge political leaders to move swiftly and work together in a spirit of national unity to build a cohesive and

inclusive Government and ensure that the transition is peaceful. These are the responsibilities that come with democracy and fall on all political entities, especially those that have won the largest number of seats. In order not to lose time, I would encourage all political blocs to conduct negotiations on the Government formation process in parallel with the finalization of the formal electoral process. In that regard, I welcome the call by the Presidential Council of Iraq, issued in a statement of 4 May, asking all Iraqi parties to accelerate the Government formation based on the results of the elections. I firmly believe that the Government formation must remain a sovereign and Iraqi-owned process and free of outside interference. The United Nations stands ready to assist if requested by the parties concerned.

67. Once the new Government is formed, it will have to deal with major challenges including national reconciliation, resolving outstanding Arab-Kurdish issues, the sharing of natural resources, constitutional issues, effective public administration, human rights, IDPs and refugees, and reconstruction and development. While UNAMI and the United Nations country team continue to assist in all these areas, ultimately, it will be the Iraqi people themselves who need to resolve these issues. The challenge is to consolidate the gains that have been made in recent years and not allow armed groups and other spoilers to exploit the situation.

68. Relations between the Kurdistan Regional Government and the Government of Iraq continue to be a significant factor to political stability in the country. Leaving outstanding issues unresolved, including administrative boundaries, the control of oil resources, minority rights and other matters of mutual concerns, will impact negatively on the political and security situation in northern Iraq. It is therefore essential that there is continued support for efforts in promoting dialogue. In particular, recent talks held through the High-Level Task Force supported by UNAMI to facilitate cooperation in Ninewa Province are a positive step towards this goal. Such initiatives could also contribute to broader efforts to promote lasting national reconciliation.

69. The gradual shift to longer-term development continues, as reflected in the United Nations Development Assistance Framework and the Iraq Humanitarian Action Plan for 2010, to support sustainable recovery and development for vulnerable communities. The United Nations Development Assistance Framework document, signed on 11 May, demonstrates strong solidarity of the international community and the Government of Iraq in ensuring that the development priorities articulated in the document reflect a shared vision for human and economic development. I am confident that this people-centred agenda will be acceptable to the new government, and will serve to guide the international community, the United Nations and the Government during the implementation process. In the spirit of the Millennium Development Goals and the Paris Declaration, I believe that the United Nations Development Assistance Framework, in harmony with the National Development Plan, will form an important platform for supporting Iraq's new vision for the future.

70. The UNDG Iraq Trust Fund window of the International Reconstruction Fund Facility for Iraq will be entering its final months for allocation of funds. Discussions are continuing regarding a new funding mechanism, as well as the Government's initiative to develop the necessary framework for the establishment of a co-financing mechanism. I look forward to positive developments regarding both these resource

coordination modalities. I would also like to stress that, in order to support the development priorities identified in the United Nations Development Assistance Framework and continuing humanitarian response programmes, the United Nations country team will inevitably require more resources from Member States.

71. Regional cooperation will also be essential for Iraq's long-term stability. I therefore urge the Government of Iraq and its neighbours to pursue the resolution of all contentious issues between them, including land and maritime issues and the safe return of refugees. I also encourage resolution of outstanding issues to enable normalization of Iraq's international status in accordance with resolution 1859 (2008). I am hopeful that Iraq will make a concerted effort to expeditiously fulfil its Chapter VII obligations, including those related to Kuwait. Such actions could help create a positive momentum in the Security Council when it reviews outstanding Chapter VII mandates on Iraq based on my report (S/2009/385) pursuant to paragraph 5 of Security Council resolution 1859 (2008).

72. While the United Nations remains committed to implementing its mandate in accordance with resolution 1883 (2009), Iraq remains an extremely complex operating environment for the Organization. In this context, the safety and security of United Nations personnel has been and remains my chief concern. I am grateful to a number of Member States that continue to provide security and logistical support for the United Nations presence in Iraq.

73. In view of the planned drawdown of the United States Forces for Iraq, UNAMI is now looking ahead and considering alternative arrangements to ensure that its security and logistic requirements are met. In order to improve the United Nations operational capacity, a significant increase in resources from Member States will be essential if the United Nations is to maintain or increase its activities in Iraq.

74. I would like to thank my Special Representative, Ad Melkert, the UNAMI staff, both national and international, as well as the personnel of United Nations agencies, funds and programmes, for their commitment and endeavours under challenging conditions to assist the people and Government of Iraq in rebuilding their nation.

United Nations S/2010/241

Security Council

Distr.: General
11 May 2010

Original: English

Report of the Secretary-General concerning the credentials of the alternate representative of the Russian Federation on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a note verbale dated 11 May 2010 from the Permanent Mission of the Russian Federation to the United Nations stating that Mr. Alexander A. Pankin has been appointed alternate representative of the Russian Federation on the Security Council.

In the opinion of the Secretary-General, that communication constitutes adequate provisional credentials.

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United Nations

S/2010/260

Security Council

Distr.: General
20 May 2010

Original: English

Letter dated 17 May 2010 from the Chargé d'affaires a.i. of the Permanent Mission of Qatar to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith a letter dated 16 May 2010 addressed to you from His Excellency Mr. Ahmed bin Abdullah al-Mahmoud, Minister of State for Foreign Affairs of the State of Qatar (see annex), with its enclosure, a statement issued on 16 May 2010 by the Joint Mediation on the conflict in Darfur.

I would highly appreciate the transmission of the present letter and its annex to the President of the United Nations Security Council and its issuance as a document of the Council.

(*Signed*) Abu Ahmed S. **al-Khuri**
Ambassador
Chargé d'affaires a.i.

Annex to the letter dated 17 May 2010 from the Chargé d'affaires a.i. of the Permanent Mission of Qatar to the United Nations addressed to the Secretary-General

[Original: Arabic]

I have the honour to transmit herewith copies in English and Arabic of the statement issued on 10 May 2010 by the Joint Mediation, which indicates that the Mediation will present to the parties, before the end of May 2010, a plan for the peace process that includes the resumption in Doha of direct negotiations between the parties to the conflict and the participation of civil society in the peace process.

(*Signed*) Ahmad bin Abdullah **al-Mahmoud**
Minister of State for Foreign Affairs

Enclosure

[Original: Arabic]

Statement by the Mediation

H.E. Mr. Ahmed Bin Abdullah Al-Mahmoud, Minister of State for Foreign Affairs of the State of Qatar, and H.E. Mr. Djibrill Bassole, the African Union/United Nations Joint Chief Mediator for Darfur, issued the following statement:-

In order to resume the Darfur negotiations, which were suspended on 7 April 2010, because of the electoral calendar in Sudan, the Mediation held today a working session with a view to determining the modalities of resuming the peace process in Doha.

The Mediation thereafter met with the delegation of the Government of the Sudan, led by Dr. Amin Hassan Omer, who confirmed the preparedness of the Government to continue the negotiations in Doha with the Darfurian armed movements within the context of the Framework Agreements signed in Doha between the Government of Sudan (GoS) and the Justice and Equality Movement Sudan (JEM) on 23 February 2010, and between the Government of Sudan (GoS) and the Liberation and Justice Movement (LJM) on 18 March 2010. The Mediation welcomed such a stance.

In another context, the Mediation called on all parties to halt military operations in Darfur, in accordance with the commitments embodied in the Framework Agreements, with a view to creating an environment of confidence and tranquillity necessary for conducting a constructive dialogue for peace.

The Mediation also called on parties to consolidate unity and undertake to remain engaged in the talks to reach a lasting peace agreement.

The Mediation further welcomed the communiqué issued by the African Union Consultative Meeting on the Sudan, held in Addis Ababa on 8 May 2010, in which the international community stressed the necessity of pursuing negotiations within the context of the signed framework agreements, that all the parties, including civil society must take part in the negotiations which must continue in Qatar.

The Mediation invited in particular the Justice and Equality Movement to resume negotiations without any conditions and within an inclusive process that ensures the conclusion of a lasting peace in Darfur.

The Mediation will present to the parties a programme identifying the modalities of the peace process, including the resumption of direct negotiations in Doha between the parties to the conflict, the participation of the civil society in the peace process before the end of the current month of May.

Doha, 16 May 2010

United Nations A/64/788–S/2010/244

General Assembly
Security Council

Distr.: General
20 May 2010
English
Original: Arabic

General Assembly
Sixty-fourth session
Agenda item 15
The situation in the Middle East

Security Council
Sixty-fifth year

Identical letters dated 17 May 2010 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I should like to inform you that on 16 April 2010 at 1130 and 1230 hours respectively, two Israeli enemy patrols crossed the technical fence in the area of Naqqar on the outskirts of the town of Shab'a. The first patrol did not cross the line of withdrawal. The second crossed the line of withdrawal, penetrating some 150 metres into Lebanese territory.

My Government considers those actions to be a clear act of aggression against the national sovereignty of my country, a flagrant violation of Security Council resolution 1701 (2006), and a threat to international peace and security.

I should be grateful if you would have this letter circulated as a document of the General Assembly, under agenda item 15, and of the Security Council.

(*Signed*) Nawaf **Salam**
Ambassador
Permanent Representative

10-37080 (E) 200510 210510

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United Nations S/2010/245

Security Council

Distr.: General
20 May 2010

Original: English

Twenty-fourth report of the Secretary-General on the United Nations Operation in Côte d'Ivoire

I. Introduction

1. By its resolution 1911 (2010), the Security Council renewed the mandate of the United Nations Operation in Côte d'Ivoire (UNOCI) until 31 May 2010 and expressed its intention to review in full, with a view to possible significant modifications, the mandate of UNOCI, as well as the authorization provided to the French forces which support it, the level of troops of UNOCI, and the benchmarks referred to in annex I to my report of 7 January 2010 (S/2010/15). The Council requested me, in paragraph 22 of that resolution, to provide a full report, including detailed recommendations and options for the future of UNOCI, as well as revised benchmarks based on the results of a technical assessment mission. The present report provides an update on major developments since my report of 7 January 2010, as well as the requested options, recommendations and benchmarks, based on the findings and proposals of a technical assessment mission.

II. Update on major developments related to the peace process

2. As indicated in my last report, the voter registration and identification operations, which were officially completed in November 2009, yielded a provisional electoral list of some 5.3 million persons confirmed by the technical operators (commonly referred to as the "white list") and some 1.03 million persons who remained to be confirmed (referred to as the "grey list"). On 3 December 2009, the Cadre permanent de concertation, composed of the main Ivorian political leaders — the President, Laurent Gbagbo; the Prime Minister, Guillaume Soro; the former President, Henry Konan Bedié, leader of the Parti démocratique de Côte d'Ivoire; and the former Prime Minister, Alassane Ouattara, leader of the Rassemblement des républicains — took note of the credible manner in which the identification and voter registration operations had been conducted, and welcomed the provisional voters list. On that basis, the Cadre permanent de concertation endorsed a new electoral timetable providing for the completion of the final voters list in January 2010, and the presidential election by the end of February or the beginning of March 2010.

3. Early in January, however, reports surfaced about the existence of a separate parallel list of some 429,000 individuals, produced by the President of the Independent Electoral Commission, Robert Beugré Mambé, outside of the established

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procedures. This controversy abruptly brought the electoral process to a halt as the ruling Front populaire ivoirien (FPI) party maintained that the President of the Commission had committed fraud and that the provisional electoral list had been compromised. They called for Mr. Mambé's resignation. An inquiry instituted by the Prime Minister confirmed that Mr. Mambé had prepared a list of 429,000 persons without following the established procedures. Mr. Mambé rejected the calls for his resignation, insisting that he had developed the parallel list only for the "internal use" of the Commission.

4. The Facilitator consulted with Mr. Mambé and representatives of the main political parties in Ouagadougou on 11 February but the President of the Commission declined his advice to resign, prompting President Gbagbo to dissolve the Commission and the Government. The President requested the Prime Minister to form a new Government, stating that this would allow Côte d'Ivoire to move forward with credible elections. The new Government and Electoral Commission were installed on 23 February and 25 February, respectively.

5. Meanwhile, political tension rose amid reports that the ruling party had requested courts in a number of areas in central Côte d'Ivoire to purge ineligible individuals from the provisional electoral list. The reports triggered violent protests in several areas, including Abidjan, where one protestor was killed on 22 February, Gagnoa, where at least five people were killed on 19 February, and Daloa, where three people were killed on 22 February. On 20 February, mobs ransacked the offices of the *Préfecture* in the Forces nouvelles-controlled town of Bouaké, destroying civic records, burning six vehicles and 30 computers that had been recently donated by the World Bank. In Korhogo, also on 20 February, the residences of senior officials of the ruling party, including those of the party's spokesman and the Director of President Gbagbo's Cabinet, were attacked during violent protests.

6. In reaction to these events, President Gbagbo and the ruling party took the view that the security situation in the north would not allow free electoral campaigning and the conduct of free and fair elections there. They therefore called for disarmament and the reunification of the country before the elections as provided for in the fourth supplementary agreement to the Ouagadougou Agreement (Ouagadougou IV). The opposition parties accused the ruling party and the President of using Ouagadougou IV as a pretext to delay the elections indefinitely. They also wrote to the High Commissioner for Human Rights, calling for an investigation into the killing of civilians during the violent protests.

7. Despite the establishment of the new Government and Electoral Commission, the electoral process remained stalled as the differences on how to address the issue of fraud and resume the interrupted appeals process on the provisional voters list persisted. While the opposition parties called for the resumption of the appeals process in order to produce the final voters list and conduct the presidential election, the ruling party insisted that the provisional list had to be audited, to remove fraudulently included individuals. It also called for the reconstitution of the 415 local electoral commissions, which it accused of involvement in the fraud, and maintained that disarmament and all aspects of the reunification of the country must be accomplished before the elections.

8. Tensions continued as the parties traded accusations, with senior members of the ruling party and its youth organizations disseminating harsh criticism of the Prime Minister and the Forces nouvelles Ministers for perpetuating the division of

the country so as to continue to benefit from both the Government and a parallel economy in the north. The media played a particularly negative role, publishing messages that fanned tensions among the parties. On 10 April, the President and the Prime Minister held a private meeting during which they agreed that the latter would continue to consult all stakeholders to find ways to resolve the impasse over the voters list.

III. Technical assessment mission

9. It was against this backdrop that a technical assessment mission travelled to Côte d'Ivoire from 12 to 22 April, pursuant to paragraph 22 of Security Council resolution 1911 (2010). Many questions were being raised at the time of the mission's visit regarding the continuing relevance of the Ouagadougou agreements, the continuing commitment of the signatories to the agreements and their confidence in the Facilitator, given the abrupt interruption of the electoral process and the media reports claiming that the President of Senegal, Abdoulaye Wade, was going to visit Côte d'Ivoire to engage in mediation. Those reports were refuted by President Wade himself.

10. The technical assessment mission comprised representatives of the Departments of Peacekeeping Operations, Field Support, Political Affairs and Safety and Security, the Office of the United Nations High Commissioner for Human Rights, the Peacebuilding Support Office, the Office for the Coordination of Humanitarian Affairs, the United Nations Children's Fund and the United Nations Development Programme. The mission received detailed briefings from UNOCI, the United Nations country team and the French force (Licorne), and consulted a wide spectrum of national and international stakeholders, including President Gbagbo, Prime Minister Soro, the leaders of the opposition parties (Mr. Bedié and Mr. Ouattara), senior ruling opposition party officials, the Chief of Staff and senior officials of the Forces nouvelles, representatives of the Ivorian defence and security forces, the President of the Independent Electoral Commission, relevant Government Ministries, the Integrated Command Centre (ICC) in Yamoussoukro, and civil society organizations, as well as the diplomatic community (including representatives of the African Union and the European Union), international financial institutions and humanitarian organizations. The mission also consulted the Facilitator, the President of Burkina Faso, Blaise Compaoré, in Ouagadougou, and the Facilitator's Special Representative in Abidjan, Bouréima Badini. It visited several places, including Bouaké, Duékoué, Guiglo and Séguéla.

A. Findings of the technical assessment mission

1. Status of implementation of the Ouagadougou Political Agreement and supplementary agreements

11. The Ouagadougou Political Agreement, signed on 4 March 2007, and its supplementary agreements, sought to resolve the crisis in Côte d'Ivoire by addressing outstanding issues related to the identification and election processes, the reunification of the army, and the restoration of State authority throughout the country. Its specific provisions are explained in my reports of 14 May 2007 (S/2007/275) and 2 January 2008 (S/2008/1). The fourth supplementary agreement

(Ouagadougou IV), signed on 22 December 2008, which is now the focus of attention, clarified the modalities and timeline for conducting, before the elections, the cantonment and storage of weapons of the former combatants of the ex-belligerent forces; the dismantling of the militias; the relaunch of the process to reunify the Ivorian defence and security forces and the Forces nouvelles; and the completion, by 15 January 2009, of the effective redeployment of State administration throughout the country, including the *corps préfectoral*, the judiciary and the fiscal and Customs administrations.

12. The original schedule for the implementation of the Ouagadougou Agreement had envisaged that all tasks set out in the Agreement would have been completed by 4 January 2008. The implementation process, however, has been delayed by a mix of factors, including underestimation by the parties of the time required to implement some complex tasks; lack of capacity on the part of the national implementing institutions; logistical and other resource constraints; and differences that emerged among the parties on the practical modalities for the implementation of the most sensitive tasks, such as the identification operations. The lack of political will has also contributed significantly to the delays.

13. Despite these delays and the frustration with the current impasse, all stakeholders recognized that the Ouagadougou agreements have achieved more progress towards resolving the Ivorian crisis than any of the preceding peace agreements. On the basis of the sustained stability in the country throughout 2007 and 2008, and the confidence that the Ouagadougou agreements had developed among the main Ivorian stakeholders, the parties had reached an understanding to conduct the first round of the presidential election on 30 November 2008, indicating their conviction that elections could be held before disarmament and reunification of the country. However, as indicated in paragraph 6 above, following the violent incidents of February 2010, President Gbagbo and the ruling party are now insisting on disarmament and the reunification of the country before the elections. Consequently, the efforts to move the peace process forward and complete the implementation of the Ouagadougou agreements are now focusing on two central issues, namely, (1) elections; and (2) disarmament and reunification — which consists of the restoration of State authority with centralization of the treasury, disarmament and integration of Forces nouvelles personnel in the military, gendarmerie and police, as well as the reintegration and dismantling of militias. Many interlocutors, including the Facilitator, advised that the issues surrounding these two processes, which are explained below, must be tackled concomitantly in order to remove any pretexts by any of the parties for not carrying out their obligations.

2. Elections

14. Three main issues need to be resolved to move the electoral process forward, namely, the question of fraud, the modalities for processing the "white" and "grey" lists to produce the final voters list, and completion of the remaining technical processes. President Gbagbo and his party maintain that there was massive fraud in the preparation of the provisional voters list. The President, who held two meetings with the technical assessment mission, identified two specific aspects of the questions of the fraud. The first relates to the alleged manipulation of the list by the former President of the Electoral Commission, and the second was what the President described as "non-political" fraud by nationals of neighbouring countries

who simply wish to become Ivorian citizens. The President presented to the mission, as evidence of fraud, documents including pre-signed and stamped but blank birth certificates and certificates of nationality that were reportedly being sold to non-Ivorians in large numbers in several towns, as well as voters lists from a number of districts, which included individuals identified as foreigners. The President also insisted that the list must be verified, while the ruling party, FPI, called for an audit. The President further informed the mission that he had requested the Prime Minister, who is not a candidate in the elections, to consult all stakeholders and put in place a verification process as soon as possible.

15. The opposition political parties insisted that Mr. Mambé did not commit any fraud and that the provisional list had not been compromised by the preparation of the parallel list of 429,000 individuals. According to Mr. Ouattara, Mr. Mambé informed all the Ivorian political leaders and the Facilitator about the parallel list during the meeting of the Cadre permanent de concertation on 3 December, thus confirming that he was acting in good faith. The Cadre permanent de concertation reportedly advised Mr. Mambé to discontinue preparation of a third list.

16. For his part, the Facilitator stressed that resolving the issues surrounding the electoral list was critical for progress in all other aspects of the peace process. In his view, nearly all the tasks related to the provisional voters list had been completed and the "white list" was the outcome of a broadly accepted and credible operation, the achievement of which must be preserved. At the same time, he recognized that it was essential to restore the confidence of the parties in the list, in view of the issue of fraud. This view was shared by many international stakeholders who were consulted by the mission, including members of the diplomatic corps. For their part, the technical operators, the Ivorian Institut national de la statistique and Sagem, maintained that they strictly followed the procedures agreed upon by the parties in preparing the provisional voters list.

17. The Facilitator advised that all stakeholders should support the ongoing efforts by the Prime Minister to conduct additional technical verification of the list in order to restore the confidence of all parties. The new President of the Independent Electoral Commission similarly supported the Prime Minister's efforts and stated that it would not be possible to conduct elections with a disputed list and in a climate of insecurity.

18. The Prime Minister has been conducting a series of consultations with all stakeholders to find an agreed way forward. The UNOCI Electoral Assistance Division and Certification Cell are participating in the consultations as observers while they also continue to provide technical advice and assistance to the new Electoral Commission. On 2 May, the Prime Minister and the President of the Commission issued a joint statement setting out a new calendar for processing the provisional electoral list. The first stage of the exercise would begin on 10 May and allow the persons registered on the "grey list" to give evidence for registration on the provisional electoral list (the "white list"). The second stage of the appeals process, which concerns the 5.3 million people currently registered on the "white list", will be conducted at an unspecified later date. However, political parties were reported to be divided over the decision. The opposition party RHDP (Rassemblement des houphouëtistes pour la démocratie et la paix) rejected the decision, stating, inter alia, that it did not conform to the three-week time frame for completing the resumed appeals process set by the Facilitator after consulting the parties in Abidjan

on 22 February. The operations on the "grey list", meanwhile, gradually started during the week of 17 May and President Gbagbo has held direct discussions with Mr. Bedié on 10 May and with Mr. Ouattara on 17 May in an effort to move forward the stalled electoral process.

3. Disarmament, demobilization and reintegration of former combatants, dismantling of militias and reunification of the security forces

19. The opposition parties expressed the view that the ruling party's demand for the Forces nouvelles to disarm was a pretext for delaying the presidential election. They further argued that any such debate was unnecessary because the parties had previously agreed that the presidential election could be conducted in November 2008 before disarmament. President Gbagbo and the ruling party, however, contended that the trust on which that "gentlemen's agreement" had been based was shattered by the violence in February and that therefore the full implementation of Ouagadougou IV was essential to create a secure climate in the north for the election. The Prime Minister expressed the view that the question whether disarmament and reunification should be accomplished before the election was not an issue because it is an explicit requirement under Ouagadougou IV. Both the Prime Minister and, at separate meetings, senior Forces nouvelles officials informed the technical assessment mission that they were committed to respecting that agreement, and stated that the cantonment process would be conducted in phases beginning with the site at Korhogo in May.

20. The Prime Minister, however, emphasized that the real issue at the centre of the current impasse was the identification of voters, arguing that, if the Forces nouvelles combatants were to be convinced to complete the disarmament process, they must be assured that they would receive the national identity cards for which they took up arms in the first place. In the Prime Minister's view, the voters list was designated by the Ouagadougou Agreement as the vehicle through which fighters would receive their identity cards, and therefore preparation of the final voters list is a sine qua non for the completion of the disarmament process.

21. The Forces nouvelles Chief of Staff, General Bakayoko, senior Forces nouvelles officials and the opposition parties pointed out that Ouagadougou IV also stipulates the disarmament and dismantling of militias. Under the agreement, the cantonment must be completed no later than two months prior to the date set for the presidential election, while the demobilization of Forces nouvelles ex-combatants and the disarmament and dismantlement of militias should be completed one month before. It is estimated that both processes will have a total caseload of 75,318 personnel (32,777 Forces nouvelles and 42,451 militia).

22. The disarmament, demobilization and reintegration programme faces many challenges, notably the lack of capacity of the Integrated Command Centre, which is the principal national implementing body; lack of resources for the preparation of the cantonment sites and the upkeep of the former combatants in the cantonment sites; the inability of the Government, so far, to pay the promised demobilization allowance of CFA 500,000 (approximately US$ 1,000) to the ex-combatants and militia personnel; inadequate reintegration/reinsertion opportunities for demobilized combatants; and the implications of the identity issue for this programme, as mentioned above. Many interlocutors advised the technical assessment mission that addressing these challenges will require both technical and material assistance from

2007, and therefore it was unacceptable for the Forces nouvelles to continue to run a parallel administration, economy and treasury in a part of the country. They also pointed out that Côte d'Ivoire's neighbours continued to be siphoned off to neighbouring countries and stressed the responsibilities of those countries to cooperate with the Government of Côte d'Ivoire in preventing the illegal exploitation of its resources.

29. The technical assessment mission raised these issues with the Prime Minister and the Forces nouvelles. The Prime Minister stated that Customs officers will be assigned to the north beginning in May as a step towards the reunification of the treasury, and indicated that the zone commanders would step down from their posts as their combatants are demobilized or removed. At a meeting devoted to the issue of the parallel economy, the Minister of Industry, Moussa Dosso, who also serves as the Forces nouvelles's Finance Minister in the north, informed the mission that discussions were ongoing on arrangements for dismantling the parallel economy and treasury.

30. For their part, the opposition parties expressed the view that claims of the absence of State authority and recurring insecurity in the north were grossly exaggerated, and that most of the State officials and judiciary have been redeployed. Mr. Ouattara and Mr. Bédié pointed out, inter alia, that these issues were a pretext for delaying the elections. In that regard, they referred to the Security Council meeting of 28 April 2008, at which the Permanent Representative of Côte d'Ivoire, Ambassador Alcide Djédjé, made a statement to the effect, among other things, that "the restoration of State authority and the redeployment of State administration throughout the country are nearly complete" (see S/PV.6113).

B. Security situation

31. The current security situation in Côte d'Ivoire was characterized by many as a dangerous standstill. The dispute over the voters list has created a crisis of confidence and polarized not only the main political actors but also the population. The resulting political tensions have severely undermined the relative stability that had prevailed over the past three years since the signing of the Ouagadougou Agreement. If not managed in a fair and transparent manner, the processing of the voters list, on which the delicate issue of identity hinges, could trigger widespread violence. Many interlocutors stressed that the violent protests in February were not about the dissolution of the Government and the Electoral Commission but against attempts to arbitrarily remove large numbers of people from the provisional voters list, which would have deprived them of Ivorian citizenship.

32. Côte d'Ivoire is still rife with armed militia groups, in particular in the west. Although their actual strength and military capabilities cannot be assessed accurately, they form a well structured organization. Similarly, armed and unarmed urban youth groups in Abidjan, Yamoussoukro and San-Pedro are often manipulated by the key political stakeholders and pose a serious threat to the population. Other long-standing sources of insecurity in the west could fuel any violence that may erupt as a result of the current political stalemate. These include banditry and armed criminality, which are still commonplace, and the frequent inter- and intra-community clashes in that area, particularly over land. In addition, unregulated and porous

borders, particularly in the north, allow for the circulation, with little scrutiny, of small arms and natural resources, as well as trafficking of drugs and persons.

32. An unravelling of the Ouagadougou Agreement could create a worst case security scenario. Possible developments that could unravel the Agreement include a breakdown in the working relationship between the President and the Prime Minister, a withdrawal from the process by either of the two signatories, a withdrawal from the process by the Facilitator, or a resort to extraordinary measures that would undermine the Agreement, including possible declarations by the Constitutional Council relating to the elections.

33. Some interlocutors, however, did not rule out the worst case scenario of a return to full-scale conflict in the event of a temptation to impose State authority in the north by force. The current impasse and the negative tone of the discourse on issues related to identity, disarmament and reunification appear to be rekindling suspicions between the two forces. The Forces nouvelles repeatedly raised with the technical assessment mission the ongoing repair of the national army's Mi-24 helicopter, which they said is an indication that the Government may be retaining the option of reunifying the country by force. Other interlocutors, however, believe that direct military conflict between the two forces is unlikely.

34. Many of the mission's interlocutors, including the Facilitator, expressed concern about the social cost of the prolonged crisis and warned that the rising poverty rates, shrinking access to basic goods and services, high youth unemployment, and the high cost of living for most of the population could trigger social unrest. These factors could lead to spontaneous or politically manipulated violent demonstrations, particularly in the major urban centres, and a possible escalation into armed clashes.

35. The impact of renewed instability in Côte d'Ivoire, in particular the worst case scenario of a return to conflict, could have repercussions for the wider subregion. In this regard, many of the mission's interlocutors advised that, in taking a decision regarding the continued presence of UNOCI and its role in Côte d'Ivoire, the Security Council should also take into account the importance of the country for the stability of the wider subregion.

C. Role of the media

36. Many interlocutors were very concerned about the negative role that the Ivorian media is playing in fanning tensions, the monopoly of access to the State-owned media by the ruling party, and the uneven media landscape in the north. Opposition parties complained that they did not have any access to the State media. The negative conduct of the media and the monopoly that the ruling party maintains on access to State media is in breach of article 6.6 of the Ouagadougou Agreement relating to the promotion of peace, national reconciliation and security. The technical assessment mission therefore raised this matter with the Facilitator, who indicated that he plans to meet with the owners of the various media houses during his next visit to Abidjan. Many newspapers are affiliated to political parties and it is therefore important to impress upon the parties their obligation to fully respect the code of good conduct which they signed during a ceremony I attended on 24 April 2008 in Abidjan and to act in accordance with the provisions on incitement of the International Covenant on Civil and Political Rights.

D. Human rights situation

37. Violations of human rights continued across the country, in particular in the west and in the former zone of confidence, where unidentified armed individuals and members of militia groups operate with impunity. Prominent among the violations are sexual violence, racketeering and theft. A particularly disturbing feature of the human rights situation in the west is the frequency of sexual violence against children, which most interlocutors believed to be on the rise. Furthermore, women and young girls continue to suffer from harmful traditional practices such as female genital mutilation and forced and early marriage. In several regions, notably in the west, interlocutors reported a deterioration of the protection situation, with reports that intercommunal clashes were frequent. Uniformed military and police officers also continued to commit serious human rights violations with impunity. Officials of the national human rights commission and leaders of Ivorian human rights organizations recognized the lack of capacity to respond to the daunting human rights challenges facing the country. Most stakeholders agreed that the national law enforcement institutions are not properly trained or equipped to control civil disturbances.

E. Humanitarian situation

38. Humanitarian activities remain focused on reintegration and protection of internally displaced persons and returnees in the west, as well as on malnutrition and food security issues that have reached alarming levels in areas in the north. As at the end of March 2010, a total of 89,668 internally displaced persons had returned voluntarily to their areas of origin. A remaining caseload of approximately 31,000 persons continued to live with host families, primarily in the departments of Bloléquin and Guiglo in the west. In some return areas, land disputes and impunity continued to affect prospects for sustainable socio-economic reintegration.

39. As the priorities in the country are broadly shifting from relief to development, the humanitarian coordination framework has been adjusted to concurrently cover the residual emergencies and emerging recovery needs. The Office for the Coordination of Humanitarian Affairs has scaled down its staffing in Côte d'Ivoire and as from 1 July 2010 will integrate its coordination and contingency planning capacities in the office of the United Nations Resident Coordinator and its regional office in Dakar. Addressing the funding gap for the continuing provision of services to the affected population will remain a priority.

F. Economic situation

40. The technical assessment mission met with the country representatives of the World Bank, the International Monetary Fund (IMF) and the African Development Bank, who provided an assessment of the economic situation in Côte d'Ivoire. They informed the mission that the country's macroeconomic situation has continued to improve and its economic programme has been broadly on track, despite delays in its implementation. Notwithstanding the global economic and financial crisis, growth accelerated in 2009 to 3.8 per cent. Prospects for 2010 are somewhat dampened however by outstanding elections, power outages, and a transport strike in April, and economic growth is projected to decelerate to 3 per cent. Inflation is

expected to remain low (2.5 per cent) and the external current account surplus strong because of high cocoa prices. Structural reforms are being implemented very slowly, however.

41. Since the decision point of the Heavily Indebted Poor Countries (HIPC) initiative was reached in March 2009, there has been progress in both the implementation of the HIPC completion point triggers and rolling out the Government's poverty reduction strategy. Improved debt management is particularly important for Côte d'Ivoire as unsustainably high levels of debt over the past two decades have left little fiscal space for it to invest adequately in health and education.

42. The political crisis has rolled back much of the social progress registered by the country in the past decades. Macroeconomic stability of the last three years has not translated into poverty reduction. Poverty is at an all-time high and is most severe in rural areas and in the north, where 70 per cent of the people live in poverty. Nearly all social development indicators have stagnated or deteriorated. Infrastructure services required to facilitate economic activity, a decent quality of life and regional integration have also deteriorated, owing to disinvestment and neglect.

C. Peace consolidation

43. In my report of 14 May 2007 (S/2007/275), I highlighted, among other things, the deteriorating socio-economic conditions, insecurity, and land disputes in the west, and difficulties in the delivery of social services in the north. In that regard, I recommended that UNOCI and the United Nations country team should increase assistance to the Government and Ivorian civil society in developing initiatives for the promotion of social cohesion and national reconciliation, as well as the restoration of basic social services.

44. The interlocutors of the technical assessment mission in the west stressed that those challenges remain as destabilizing factors in those areas. There is particular concern with respect to young people, who are easily manipulated by political actors, suffer directly from lack of access to land, and may have also missed out on educational opportunities during the crisis. Official statistics cite 4 million unemployed or underemployed youth throughout the country. Conflict over land continues, serving both as a root cause and as a flashpoint for conflict, while efforts to structurally address the problem are not resulting in concrete peace dividends. Uncontrolled immigration is also becoming a source of concern. Community groups in the west cited the lack of the full resumption of social services, including water and sanitation, health care and education, as an overriding problem, further noting that the lack of such services resulted in a lost opportunity to enhance social cohesion.

45. The integrated strategic framework, prepared by UNOCI and the United Nations country team, highlights the need for the United Nations system in Côte d'Ivoire to support the re-establishment of social services and address the root causes of the conflict, taking into account their impact on the ongoing peace process. However, the United Nations country team is underfunded in this respect.

46. Beyond the socio-economic sector, other State services are not meeting their potential to build peace. Law and order as a service is not being adequately provided. Identification, beyond elections, is fundamental to relations between the State and society. Documentary proof of identity is needed to own land, but also to

access social services such as national school exams. Most people cannot obtain such documentation at a reasonable time and cost, fuelling their insecurity.

47. At the community level, a variety of efforts to address conflict have been undertaken, including through village peace committees. They have helped significantly with the peaceful return of displaced persons and the expansion of participation in local decision-making. These efforts, however, are not connected together regionally or nationally, and do not inform national-level peace processes. More generally, the peace process has so far insufficiently benefited from the involvement of civil society.

48. Finally, humanitarian and development partners reported diminished funding. Humanitarian funding has dropped, while the growth of development assistance has stalled. Official development assistance per capita to Côte d'Ivoire remains very low ($8.2) compared to countries with similar human development index ranks and especially to other post-conflict countries in the region. Meanwhile, funding from the Peacebuilding Fund for the office of the Special Representative of the Facilitator will be exhausted by the end of September 2010.

IV. Role of UNOCI

49. The mandate of UNOCI was adjusted in Security Council resolution 1765 (2007) in order to adapt the role of the Operation to the new realities following the signing of the Ouagadougou Agreement, in particular the decision of the signatories of the Agreement to assume total ownership of the peace process and to give national institutions the lead role in implementing the tasks set out in the Agreement. The Council endorsed the recommendations set out in paragraphs 42 to 72 of my report of 14 May 2007 (S/2007/275), which further defined the role of UNOCI in support of those implementation arrangements. The Council also approved the recommendations set out in paragraphs 75 to 83 of that report, related to providing assistance to the vulnerable population; supporting efforts to create a positive political environment; supporting efforts to promote and protect human rights; and supporting the economic recovery process.

50. In its resolutions 1880 (2009) and 1911 (2010), the Security Council requested UNOCI to bring its full support to the implementation of the remaining tasks under the Ouagadougou agreements, in particular those that are essential to the holding of the presidential election; provide technical and logistical support to the Electoral Commission; support the disarmament, demobilization and reintegration programme and the disarmament and dismantling of militias; continue to assist the Government in restoring State authority, including a civilian policing presence and rule of law institutions throughout the country; continue to assist the Facilitator and his Special Representative in Abidjan; and continue to work closely with humanitarian agencies in areas of tension and with respect to the return of displaced persons in order to respond to possible outbreaks of violence and other threats against civilians in a timely and appropriate manner.

51. The perennial delays in the peace process, in particular the uncertainty of the time frame for the elections and the evolving situation on the ground, call for a further review of the role of UNOCI. Many interlocutors expressed the view that the Security Council's decision, in resolution 1911 (2010), to focus the role of UNOCI on providing full assistance to the parties in the implementation of the remaining

tasks under the Ouagadougou Agreement, particularly elections, disarmament, and the restoration of effective State authority, was a fitting response to the realities on the ground. All interlocutors advised that a premature withdrawal of UNOCI before the country has sufficiently stabilized could result in a reversal of the progress achieved to date, and that sustainable stability in Côte d'Ivoire cannot be achieved as long as there are still two armed forces and the country remains divided administratively and economically. They therefore stressed that the United Nations should help the country to implement the disarmament processes in keeping with Ouagadougou IV; restore State authority and reunify the economy; prepare a final voters list; and hold elections, before the departure of UNOCI. They however cautioned that the mission should work towards concomitant progress on the electoral and reunification processes in order to avoid being caught in the vicious circle created by the discourse on whether disarmament and reunification should come before elections. The Minister for Internal Affairs expressed the view that it would be important to retain UNOCI in the country until the legislative elections are held, and that the post-election arrangements regarding UNOCI and the United Nations system should be discussed with a newly elected Government.

52. On the basis of its assessment of the situation on the ground, and taking into account the views and proposals received from various interlocutors, the technical assessment mission concluded that the tasks set out for UNOCI in resolutions 1880 (2009) and 1911 (2010) remain essential to the core mandate of the Operation. However, a number of issues and dilemmas emanating from the evolving political and security situation and the national ownership of the peace process were brought to the mission's attention, as explained below. It is essential to take these issues into account in considering the renewal of the UNOCI mandate.

A. Security aspects

53. The troop strength of the UNOCI military component currently stands at 7,391 personnel, including 7,198 troops and 193 military observers, against an authorized ceiling of 7,450 military personnel. The strength of the UNOCI police component is 1,151 personnel, comprising 402 police advisers and 749 personnel in the six formed police units. The police component's authorized strength stands at 1,200 elements. The strength of the French Licorne force remains at 900 troops, who are deployed primarily in the Abidjan area. By its resolution 1911 (2010), the Security Council had extended its authorization for Licorne forces to provide support to UNOCI, within the limits of their deployment and their capabilities, until 31 May 2010.

54. Various interlocutors of the technical assessment mission conveyed concerns and misperceptions about the security role of the UNOCI military and police components, which have implications for the credibility of the Operation. The main issue raised by the majority of stakeholders in this regard is the role of those components in protecting vulnerable civilians faced by violence.

55. The Minister for Internal Affairs advised the technical assessment mission that UNOCI should step in to assist national authorities in protecting the population and redeployed State institutions only if requested by the Government. That, however, could create a dilemma for UNOCI if a request were made to intervene only in response to violent protests involving the opposition political parties. In this regard,

it is worth noting that Security Council resolution 1739 (2007) provides that UNOCI, without prejudice to the responsibility of the Government of Côte d'Ivoire, shall protect civilians under imminent threat of physical violence, within its capabilities and its areas of deployment.

56. The limited capacity of the Integrated Command Centre remains a serious issue of concern. As at April 2010, only 1,053 (726 Ivorian defence and security forces and 327 Forces nouvelles personnel) out of the stipulated 8,000 had been assigned to the Centre's mixed gendarmerie brigades and police units. Of the 23 planned mixed brigades, only 11 have been established. The Forces nouvelles have requested assistance to support their elements in the mixed units, noting that whereas the defence and security forces receive a salary, the Forces nouvelles mixed brigade members do not. Several interlocutors also raised the need to properly equip the Integrated Command Centre and the mixed units, especially in logistical, communications and non-lethal crowd control equipment, which would require the Security Council to consider making an exemption to the arms embargo to import riot control gear, including side arms.

57. UNOCI, Licorne, the national defence and security forces and the Forces nouvelles have jointly developed a security plan for the elections. The integrated security plan, which combines all United Nations security elements, takes into account the Integrated Command Centre security organization for the elections and factors in the capacity deficiencies of the Centre, outlined above. The security plan will need to be reviewed pending the Security Council's decision on the future role of UNOCI. In the first phase of pre-elections, the Operation will identify the areas at greatest risk of violence and adapt existing contingency plans to address the threat together with a show of presence and strength both to deter and to reassure. In the second phase, during elections, UNOCI will constantly monitor the situation and assist the Integrated Command Centre in ensuring freedom of movement for the population. Escorts will be provided to UNOCI and international observer teams as well as for the transportation of personnel and materials. The military will be prepared to react with an air and ground quick reaction force. In phase three, the post-election and stabilization period, UNOCI will closely monitor the situation for disturbances caused by disaffected parties and assist the Integrated Command Centre in providing security for electoral and sensitive materials.

58. In my report of 7 January 2010 (S/2010/15), I referred to the joint proposal by President Gbagbo and President Compaoré to deploy, as part of UNOCI, up to 500 troops from Burkina Faso to reinforce security arrangements during the elections that were expected to be held by March 2010. The Ivorian Minister for Internal Affairs and advisers to President Gbagbo informed the technical assessment mission that the proposal has been shelved. The mission therefore explored other contingency alternatives to cover the security gap during the elections. Proposals in this regard are included in paragraphs 97 to 100 of the present report.

59. The second issue raised by interlocutors was related to the role of UNOCI in providing security for the elections, in particular in the event that any party attempts to disrupt the elections by force, or resorts to armed violence to challenge the results. This issue was of particular concern to the opposition parties, the Forces nouvelles and civil society. The Forces nouvelles proposed that UNOCI should deploy in the cantonment areas to ensure that the cantoned Forces nouvelles and defence and security force troops do not leave the cantonment areas to interfere with

the arrangements provided for under the Ouagadougou agreements for securing the elections. With regard to the capability deficiencies of the Integrated Command Centre and its mixed units, which are mandated to maintain law and order and provide security for the elections, Prime Minister Soro, in a letter dated 6 May 2010 addressed to me, requested that UNOCI contribute to the strengthening of the Centre's operational capacities, in order to reassure all parties and the population that the necessary security arrangements for the elections are in place, in line with article 9 of Ouagadougou IV. President Gbagbo had mentioned to the technical assessment mission that a possible solution would be to directly merge the Forces nouvelles personnel earmarked to join the army and the national security forces that already have the requisite capacity, and charge them with assuming this important responsibility.

B. Elections and certification

60. In keeping with its mandate, UNOCI has provided technical and logistical assistance to the Independent Electoral Commission and other national implementing institutions responsible for operations related to the identification and electoral processes. Specifically, UNOCI has provided transportation for electoral materials to the Commission's warehouses, refurbished identification and voter registration centres, provided transportation of registration agents, and trained judges and registration agents. All stakeholders recognized that, without the support that UNOCI has provided to date, the technical and logistical challenges encountered by the Commission would have caused even more serious delays to the electoral process. They requested that UNOCI be authorized to continue providing this critical support. Many stakeholders, particularly the international partners, however, expressed concern that the new Commission, which was installed on 25 February, had not started tackling the key issues that are blocking the electoral process and taking steps to complete the outstanding technical processes.

61. A number of proposals were communicated to the technical assessment mission regarding the implementation of the certification mandate of my Special Representative. To date, my Special Representative has defined the certification framework, comprising five criteria as explained in my previous reports, and certified two critical stages of the electoral process, namely, the successful completion of the identification and voter registration operations and the preparation of the provisional voters list, which he described as "balanced and credible" prior to the appearance of the contentious parallel list of 429,000 individuals.

62. While some leaders of the political opposition parties stated that they clearly understood the framework developed by my Special Representative for the certification of the electoral process and welcomed his endorsement of the completion of the identification and voter registration processes and the provisional voters list, they informed the technical assessment mission that they intended to discuss with my Special Representative the certification in the context of the peace and security criteria, especially the role of the State media and the monopoly of access by the ruling party. For their part, the ruling party and the President's advisers expressed the view that they could not envisage certification of elections that may be held in the north under the current insecure environment as free and fair. Many international stakeholders were satisfied with the manner in which the certification mandate had been dispensed and encouraged my Special Representative

to continue to work closely with the Facilitator, who has the arbitration mandate. They also stressed the importance of enhancing the UNOCI public information campaign and constant engagement with the political parties, to clarify any queries they and the public may have on certification. In his letter dated 6 May, the Prime Minister also stressed the importance of clarifying the certification process and methodology to avoid divergent interpretations by the political actors.

C. Disarmament, demobilization and reintegration of former combatants, dismantling of militias and security sector reform

63. Under the Ouagadougou Agreement the impartial forces are requested to supervise the disarmament and demobilization and cantonment of Forces nouvelles combatants, the storage of their weapons, and the disarmament and dismantling of the militias. Given the limited capacity of the Integrated Command Centre, which is responsible for the implementation of these tasks, UNOCI has been supporting the disarmament, demobilization and reintegration programme by, inter alia, constructing cantonment and disarmament, demobilization and reintegration sites, providing planning assistance to the Integrated Command Centre and the National Programme for Reinsertion and Community Rehabilitation, and securing the weapons and ammunition collected so far. The Forces nouvelles and international partners requested UNOCI to assist with further rehabilitation of barracks at the cantonment sites in Bouaké, Séguéla and Man so as to avoid delaying the Forces nouvelles cantonment operations.

64. The Forces nouvelles leadership advised that another issue that could delay the cantonment of the 5,000 former combatants earmarked to join the new army was the lack of funding to sustain them once cantoned, and requested the international community to provide assistance with this. Furthermore, the Forces nouvelles Chief of Staff, General Bakayoko, proposed that UNOCI should assist in providing basic military training to the 5,000 personnel in the cantonment camps.

65. All stakeholders commended my Special Representative's initiatives to implement 1,000 microprojects, which provide reintegration opportunities for former combatants. The initiative was conceived as a stop-gap measure to accommodate demobilized combatants who had not received the allowance of CFA 500,000 stipulated in the Ouagadougou Agreement; however limited funding has meant that the programme has accommodated only 3,720 ex-combatants. Some interlocutors suggested that the international community should consider payment of the allowance for the remaining caseload of 23,257 demobilized Forces nouvelles combatants and 42,451 militia, which would cost approximately $60 million. Donors, however, indicated that they were not favourable to funding such cash payments because of concern over inflated numbers, as well as the belief that, unlike the microprojects model, such cash payments were unlikely to provide for sustainable reintegration opportunities for the ex-combatants. Moreover, a key issue raised with the technical assessment mission was the need for the Government, which has the responsibility to pay this allowance, to clarify whether former combatants who benefit from the microprojects would still be entitled to receive the allowance.

D. Restoration of State authority and peace consolidation

66. By Security Council resolutions 1880 (2009) and 1911 (2010) UNOCI was mandated to facilitate the re-establishment by the Government of the authority of the State throughout Côte d'Ivoire and of the institutions and public services essential for the social and economic recovery of the country, and to support the restoration of rule of law institutions in the north and west, in particular the judicial system and police, as part of the overall restoration of State authority and administration throughout the country.

67. The role of UNOCI in supporting the restoration of State authority has so far focused on monitoring and supporting the redeployment of civil servants, including the judiciary, to the north, which stands at 96 per cent. To that end, UNOCI worked closely with the *préfets* and *sous-préfets*, with line ministry officials, and with the Government's Comité national de pilotage du redéploiement de l'Administration. The working and housing conditions of the *corps préfectoral* have also significantly improved, further to technical expertise and logistic support provided by UNOCI, in cooperation with the United Nations country team. UNOCI also strengthened the conflict management and conflict resolution capacities of local authorities. Support from the international community, including the World Bank and the European Commission, has resulted in the rehabilitation and equipping of administrative, court and penitentiary facilities.

68. Considering that the Forces nouvelles have been part of the Government for the past three years, many interlocutors were of the view that the lack of political will and the benefits from the parallel economy in the north are the only reason why they would not allow the full restoration of State authority in the areas under their control. As indicated earlier, the Forces nouvelles, for their part, cite the need to resolve the identity issue, the need for the Government to provide the funding for the demobilization and cantonment of the Forces nouvelles combatants, and the need to ensure that the Forces nouvelles had a sustainable source of funding to maintain themselves as an organization. To move forward on the reunification of the treasury and the restoration of the fiscal and Customs administration in the north, the future of the Forces nouvelles will need to be addressed.

E. Human rights aspects

69. UNOCI continued to strengthen the capacities of national human rights institutions, as well as those of the Ministry of Justice and Human Rights and other Government departments. UNOCI also continued to raise human rights awareness in universities, colleges and schools, and monitored and reported on human rights violations throughout the country, paying particular attention to the situation of women and children. In spite of these achievements, many interlocutors considered that the human rights and protection situation had actually deteriorated over the reporting period. Of particular concern is the reported increase in sexual violence, including against children, which some interlocutors believed was increasingly taking on an ethnic dimension. The Bangolo-Duékoué axis was referred to by interlocutors of the technical assessment mission as especially prone to violent attacks. More systematic and reliable data collection and information-sharing on the human rights and protection situation, including as called for in Security Council resolutions 1612 (2005) and 1882 (2009), which are now lacking, would further

strengthen efforts to prevent and respond to violations. The mission also noted a number of opportunities for improving the coordination between military, police and civilian protection and human rights actors. Several interlocutors also called for UNOCI to speak out more frequently and publicly on human rights concerns in the country, particularly sexual violence. Women's groups called for increased support to ensure their access to and participation in political dialogue. During his meeting with the technical assessment mission, Mr. Bedié denounced as incongruous and not respecting democratic principles of freedom of expression the charges of a military tribunal against Mr. Djédjé-Mady, Secretary-General of the opposition grouping RHDP, who had called for demonstrations against the current situation in Côte d'Ivoire. Mr. Djédjé-Mady subsequently indicated that he had brought the issue to the UNOCI Human Rights Section, which was monitoring the proceedings of the tribunal.

F. Political engagement with the parties

70. My Special Representative continues to actively engage with all the Ivorian and international stakeholders. To that end, he works closely with the Facilitator and his Special Representative in Abidjan and regularly visits Ouagadougou for consultations with President Compaoré.

71. Since the current crisis surrounding the electoral process started in January, my Special Representative has intensified contacts with civil society, including religious leaders, to seek their views on the way forward and to solicit their contribution to ensuring that the population exercises restraint and patience as the efforts to find a solution to the impasse continue. He has also met the leaders of youth organizations to that end. Civil society organizations emphasized to the technical assessment mission that UNOCI should facilitate their full involvement in the mechanisms for monitoring the implementation of the Ouagadougou agreements, to ensure that the peace process is truly nationally owned.

72. As requested by some members of the Security Council, the technical assessment mission sought the views of many interlocutors on the question of apportioning responsibility and measures that could be taken to pressure the parties to make progress in the peace process. The opposition political parties gave a historical account of the evolution of the Ivorian crisis and the actions taken by the Security Council, expressing the view that the President and the ruling party had deliberately postponed the elections repeatedly since 2005 so as to prolong their stay in office. They recalled that, in its resolution 1721 (2006), the Security Council had endorsed the extension of President Gbagbo's term for a final period of 12 months, which had expired two years previously. They called on the Council to impose its targeted sanctions on senior officials of the ruling party who they said are responsible for impeding the peace process, and on those involved in serious violations of human rights and in inciting violence. The opposition leaders further argued that the international community should not treat Côte d'Ivoire as "a special case that should be allowed to move at its own pace". In that regard, Mr. Ouattara expressed the view that the Security Council should set October 2010, which will mark President Gbagbo's tenth year in office, as the deadline for holding the presidential election. If that deadline is not respected, in his view, the Council should demand that the President step down.

73. For his part, President Gbagbo also gave a detailed account of the history of the crisis, identifying the major concessions he had made in an effort to reunify the country and hold elections. Those concessions included accepting two Prime Ministers imposed by the international community (Seydou Diarra and Charles Konan Banny); issuing a decree that allowed Mr. Ouattara to become a candidate for the presidential election; giving the opposition parties majority representation in the Independent Electoral Commission and accepting a President of the Commission from the opposition; accepting Sagem as a technical operator and a United Nations role in certifying the electoral process because he wanted clean elections; and giving the post of Prime Minister to the head of a rebel movement that had attempted to remove him from office. The President and his party stressed that, despite those concessions, he was often unfairly accused of impeding the peace process and delaying the elections and, that in adopting previous resolutions that criticized him, the international community had conveniently disregarded the fact that he was elected in a free and fair election in 2000 and that the current crisis was created by an externally sponsored coup attempt, barely two years into his term of office, which had failed and developed into a rebellion. He added that, in another singular gesture in the hope of achieving reunification, he had reinstated the military officers who had joined the rebellion, who have retained their ranks and are now receiving salaries. The President stressed that he wanted elections as soon as possible, but clean and credible elections. He added that the Ouagadougou Agreement remains the appropriate framework for resolving the Ivorian crisis, expressed the view that 80 per cent of the crisis had been resolved, and requested that UNOCI should stay the course and continue to assist in the implementation of the remaining 20 per cent, in particular disarmament and reunification, so as to guarantee free and fair elections.

74. The Facilitator expressed the view that the Ouagadougou Agreement remained on track and that the parties were still committed to its full implementation. The Facilitator advised against taking punitive measures against the main political players, stressing that in the complex circumstances in Côte d'Ivoire progress is achieved in small steps, through gentle pressure, facilitation, dialogue and compromises. The Special Representative of the Facilitator added that the international community would fail if it did not recognize that reality. The Facilitator's view was shared by many international stakeholders, who warned that any punitive measures at this stage, including targeted sanctions, would further compound the already difficult situation, possibly divert focus from the priority tasks and have the opposite effect of hardening the stance of the targeted parties. The Facilitator and many of the international interlocutors advised that the United Nations should concentrate on helping the parties to implement, concomitantly, the remaining tasks related to elections, disarmament and reunification, while also assisting in the consolidation of peace.

G. Support issues

75. The uncertainty about the election date continues to make planning and the procurement of additional military and logistics air assets for the elections difficult. The existing logistical resources of UNOCI are being used to support the current electoral tasks, but more resources will be required to support the electoral process, once an election date is established.

H. Safety and security of personnel

76. The implementation of adequate risk mitigation measures continued to enable United Nations staff to proceed with their programmes and activities during the disturbances of February 2010. Violent crime, such as armed robberies and home invasions, continues to be a serious security threat for United Nations personnel. The situation is particularly serious in areas of the south and west where law enforcement agencies have limited means to address armed criminality. In the north, given the delicate nature of the processes to reunify the country, incidents involving armed groups cannot be excluded, which may affect the security of United Nations staff and activities. The implementation of operational security standards has reduced the exposure of the United Nations personnel to such criminality, but frequent power failures all around the country affect the implementation of some of the security measures.

V. Financial aspects

77. The General Assembly, by its resolution 63/289 of 30 June 2009, appropriated the amount of $491.8 million for the maintenance of UNOCI for the period from 1 July 2009 to 30 June 2010. Should the Security Council decide to extend the mandate of UNOCI beyond 31 May 2010, the cost of maintaining the Operation until 30 June 2010 would be limited to the amounts approved by the General Assembly. As at 31 March 2010, unpaid assessed contributions to the special account for UNOCI amounted to $73.6 million. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to $1,725.7 million. Reimbursement to troop-contributing Governments for troop and formed police unit costs and contingent-owned equipment costs has been made for the periods up to 28 February 2010 and December 2009, respectively.

VI. Observations and recommendations

78. Events in Côte d'Ivoire up to the end of 2009 had brought hope that the country was finally on a firm path towards resolving its protracted crisis. The Ouagadougou agreements had put in place a framework that enabled the parties to make notable progress — more so than any of the previous agreements. A general climate of stability had prevailed, freedom of movement had increased, and the identification and elections-related tasks were nearly completed. There was genuine expectation that Côte d'Ivoire was steadily moving forward and that elections would be held early in 2010.

79. I was therefore disappointed by the abrupt interruption of the electoral process in January and the resulting violence in February, which constituted a severe setback in the Ivorian peace process. The lack of progress in resolving the ensuing impasse, which has dragged on for almost five months, has led some to start questioning the relevance of the Ouagadougou framework. I would like, at the outset, to appeal to all Ivorian parties to avoid taking any actions that may reverse the significant progress they had made and risk plunging the country into renewed violence and instability.

90. Any unravelling of the Ouagadougou framework would be a cause for serious concern. There is currently no alternative framework to the Ouagadougou agreements. The reasons cited by the parties for the current impasse, including the issue of electoral fraud and the need to complete disarmament and reunify the country, do not in any way render the agreements irrelevant and are not insurmountable, if the necessary political will exists. Any suggestion to set aside the Ouagadougou agreements would be tantamount to moving the goal posts at the last minute and would unnecessarily prolong the crisis and the suffering of the Ivorian people. The Ouagadougou agreements should therefore continue to provide the framework for taking Côte d'Ivoire out of the crisis.

91. In the eight years since the outbreak of the crisis, perennial delays in implementing the various peace agreements have been a source of deep frustration for the Ivorian people. The events of February and March 2010 have demonstrated that the continuing failure to hold elections in Côte d'Ivoire constitutes a potential conflict trigger, in that it contributes to heightening tensions and hampers constitutional, political, economic and social normalization. The successive delays have also severely tested the patience of Côte d'Ivoire's international partners, who have invested significant levels of resources to assist the efforts to restore lasting peace and stability in the country. While delays emanating from genuine technical and practical challenges are understandable, interruptions from sheer lack of political will are not acceptable, particularly if they undermine the hard-won progress on delicate issues at the centre of the crisis. The Ivorian political leaders should therefore summon the courage to overcome narrow partisan and personal goals, put national interest first, and engage in genuine dialogue, under the auspices of the Facilitator, to resolve their differences.

92. The full ownership of the peace process by the Ivorian parties comes with an obligation to make it work. In addition to demonstrating the necessary political will, the Government will also be required to devote the requisite resources to support the implementation process. I would also urge the Facilitator and the signatories to the Ouagadougou agreements to actively engage with civil society and consider its involvement in the peace process so as enhance genuine national ownership of the peace process.

93. The role of the Facilitator is critical. I commend him for the progress he has achieved so far and encourage him to persevere in his efforts. I was pleased to note that all parties informed the technical assessment mission that their confidence in the Facilitator remains undiminished. They must, however, support their words with deeds and extend their full cooperation to him in his efforts to convene the Cadre permanent de concertation in order to seek a way out of the current impasse. The international community too must speak with one voice and act in unison in its engagement with the Ivorian parties. The role of the Economic Community of West African States (ECOWAS) and the African Union in this regard is particularly crucial. The Facilitator needs their full and united support now more than ever to give the faltering peace process a final push. I therefore welcome the statement issued on 3 May 2010 by the Peace and Security Council of the African Union. I have noted, with concern, that funding for the office of the Special Representative of the Facilitator, provided by the Peacebuilding Fund, will be exhausted by the end of September. The annual budget of the office, to date, is $2 million. It is essential to identify a steady source of funding to enable the office to continue to support the implementation of the remaining tasks under the Ouagadougou agreements.

94. I have carefully studied the findings of the technical assessment mission and the views collected from various interlocutors. They tell a story of a complex and delicate situation, of opportunities that have become elusive when they were within reach, of the suffering of ordinary people and the slow but steady decline of a country that once served as a pillar of stability and prosperity for the subregion. Given the disappointment arising from the abrupt interruption of an electoral process that was about to bear fruit, and the track record of perennial stalemates often emanating from political calculations for partisan gains, the temptation to yield to frustration and give up on Côte d'Ivoire is understandable. However, considering the distance Côte d'Ivoire has travelled and the remaining short mile to elections, it would be a let-down to the ordinary people of Côte d'Ivoire and the subregion, a reward to the spoilers, and a waste of the significant resources invested over the past eight years if the international community, in particular the United Nations, were to give up at this stage. One should also bear in mind that, although they are an essential step in the peace process, elections in themselves will not resolve the crisis in Côte d'Ivoire. The continued support of the international community will be needed, beyond the elections, to help Côte d'Ivoire to complete its peace process and address the root causes of the crisis.

95. For these reasons, I recommend maintaining UNOCI with the current total overall strength of its military and police components, until the end of 2010, in order to give Côte d'Ivoire a chance to walk the final mile to the elections with the full support of the United Nations. The options considered by the technical assessment mission and recommendations on the rationalization and reconfiguration of UNOCI during this period are set out in paragraphs 97 to 100 below. Should this recommendation meet with the approval of the Security Council, the Secretariat would conduct a review of progress made in the peace process and submit further recommendations on the future of UNOCI before the end of the year.

96. I believe that the remaining seven months would provide ample time for the Ivorian parties to resolve their differences with the assistance of the Facilitator, demonstrate the sincerity of their commitment to the peace process, and implement the remaining tasks under the Ouagadougou Agreement, in particular those related to elections, disarmament, and all aspects of the reunification of the country. I share the view of the Facilitator that these crucial tasks are the priority processes at this stage and must be moved forward concomitantly. However, as explained in the findings of the technical assessment mission, the finalization of the voters list remains crucial. In this regard, I commend the efforts of the Prime Minister and the Independent Electoral Commission to find a way of breaking the impasse on the voters list. Furthermore, it is important to allow the Commission to do its work independently, with the support of the Prime Minister, the technical operators, the Facilitator, and UNOCI. I urge all parties to consider the approach set out in the joint statement issued on 2 May by the Prime Minister and the President of the Independent Electoral Commission, as a basis for reviving the stalled electoral process.

97. Should the Security Council approve the extension of the deployment of UNOCI in Côte d'Ivoire until the end of this year, I would recommend that the mandate of the Operation be adjusted, to allow it to adapt to the new realities by focusing on helping the parties to implement the remaining tasks related to the priority processes identified above, namely, (1) disarmament and all aspects of the reunification of the country, and (2) elections. The Security Council, in its

resolution 1911 (2010), had already identified these as the priority tasks that UNOCI should support in order to complete the implementation of the Ouagadougou agreements. At the same time, it is essential that UNOCI support important tasks related to the consolidation of peace.

68. With regard to the electoral process, I would like to recall that the provisional list of voters was the outcome of a credible process, conducted on the basis of modalities that were agreed upon by all parties. All efforts should therefore be made to restore confidence in the list in a way that consolidates the achievements already made. I recommend that UNOCI continue to provide technical and logistical support to enable the Independent Electoral Commission to complete the following remaining tasks: relaunching the interrupted appeals process; distributing the provisional and final voters lists; sensitizing the media; distributing identity cards and voters cards; and distributing and securing sensitive electoral material, including ballot papers. Since the issuance of the identity cards affects progress towards completing the other priority processes, it is essential to distribute these cards expeditiously, with the assistance of UNOCI, once the voters list is finalized.

69. Cognizant of the dual role of UNOCI emanating from the certification mandate of my Special Representative and its current mandate to provide technical and logistical support for the electoral process, I recommend that the Electoral Assistance Division of UNOCI should actively participate in the ongoing efforts, led by the Prime Minister, to break the impasse on the electoral list by providing technical advice, while the UNOCI certification cell should participate as an observer, to enable my Special Representative to take into account the manner in which this delicate matter is resolved when he certifies the preparation of the final voters list. UNOCI will step up its public information campaign to further sensitize the population and the parties on the certification process.

70. I was pleased to note that the Prime Minister assured the technical assessment mission that the question whether disarmament and reunification of the country should come before the elections is a non-issue. I therefore urge the Forces nouvelles to match those words with action and launch the cantonment of forces in Korhogo, followed by other designated sites, without delay. This must, however, be coordinated with the demobilization and reintegration of former combatants and UNOCI should assist the Government in planning and coordinating what remains a fractured process. I recommend that UNOCI provide continued advice to the national partners in charge of all aspects of the disarmament, demobilization and reintegration and disarmament and dismantling of militias processes, contribute to the refurbishment of the barracks at the four cantonment sites and support the cantonment process; participate in the arrangement for the secure storage of weapons; and continue to provide microprojects for demobilized combatants. The latter is of particular importance and I remain concerned about the lack of reintegration opportunities for ex-combatants and militias, which poses a real threat to the security and consolidation of peace in Côte d'Ivoire. I also call on international partners to provide additional funding for microprojects or other reinsertion and reintegration activities, without which stability is likely to prove elusive, even beyond the elections. At the same time, the Government of Côte d'Ivoire must provide the required resources for the sustainment of cantoned combatants and the payment of allowances for demobilized combatants and militia. It is important to stress that the disarmament and dismantling of militias process must make progress at the same time as disarmament, demobilization and

reintegration progresses in order to avoid pretexts for stalling the disarmament, demobilization and reintegration process, and ultimately, elections. I recommend in this regard that UNOCI assist the national authorities in the collection and destruction of the militias' weapons.

91. In addition, as requested by the Chief of Staff of the Forces nouvelles, and in keeping with the provisions of Ouagadougou IV, I recommend that UNOCI contribute to the basic training of the 5,000 Forces nouvelles personnel who are to be cantoned to prepare for their integration into the national army. Such training should include sensitization on human rights and international humanitarian law. Mindful of the amnesty provisions of the Ouagadougou Agreement, UNOCI should encourage the Forces nouvelles and the Government to vet all personnel that will form part of the new national army. At the same time, a holistic approach to security sector reform is essential for the long-term sustainability of the security architecture in the country. The United Nations stands ready to support Côte d'Ivoire in this process, in close coordination with the African Union and ECOWAS.

92. Regarding the restoration of State authority throughout the country, I fully share the view that the continuation of a parallel administration, economy and security apparatus in the north, three years after the integration of the Forces nouvelles into the Government, is unacceptable. The Security Council should demand the immediate handover of control over the economy and revenues in the north to the Government. For its part, the Government has the responsibility to ensure the delivery of social services to the population as State authority is restored. The upcoming fiftieth anniversary of Côte d'Ivoire's independence is a galvanizing event for achieving the effective reunification of the country in all its aspects without further delay.

93. I recommend that UNOCI and the United Nations system play a more active role in support of the effective restoration of State authority, including the resumption of State functions. To this end, UNOCI should strengthen its support in key areas, particularly administration and the rule of law, and continue to play a key role in the development, coordination and implementation of projects in the justice and corrections sectors. Meanwhile, the United Nations system should urgently strengthen efforts to increase the planning and administrative capacities of the regional presences of key line ministries in areas where the reach of the State remains limited. I also recommend the deployment of up to eight seconded Customs officers, with a corresponding reduction in the military observers strength, keeping the overall uniformed personnel strength of UNOCI unchanged. The seconded Customs officers would provide advice and support to the redeployed national Customs officials in the north. In addition, I recommend the deployment of the appropriate number of civilian public finance experts, to monitor progress in the economic reunification of the country. Both the Customs and public finance experts would operate, as necessary, in mixed mobile teams with UNOCI military observers and strengthen the UNOCI embargo cell.

94. With respect to the Integrated Command Centre, I recommend that UNOCI provide it with technical advice and logistical support to increase its ability to implement its mandate. The Government, meanwhile, should assume its responsibility to fully support the Integrated Command Centre, including with regard to financing, logistics, communications and non-lethal crowd control equipment. In that context, the Security Council Committee established pursuant to resolution 1572 (2004) may

wish to consider an exemption to the arms embargo allowing the Government to import riot control gear for relevant law enforcement institutions to avoid the use of lethal weapons and live ammunition in situations of civil unrest.

94. I was deeply disturbed by the violence that erupted in February in various parts of the country, and am concerned about the evolving dangerous security situation in the country. All parties have a responsibility to contribute to the creation of a secure climate for the elections. For its part, UNOCI should continue to work with Licorne, the Integrated Command Centre and other relevant national authorities to implement the agreed security plan for the elections.

95. I have noted the complexities facing UNOCI and the United Nations country team in Côte d'Ivoire with regard to the implementation of their protection of civilians responsibilities. Ensuring a safe and secure environment, including protecting civilians and securing the country's borders, is primarily the responsibility of the Ivorian authorities. I trust that UNOCI and the Security Council will continue to monitor closely the conduct of the Government and other Ivorian stakeholders in this important area. At the same time, I am concerned about the limited capacity of the relevant national security institutions to protect civilians, particularly in those areas where the law enforcement authorities still lack adequate manpower and means. In keeping with its mandate as set out in paragraph 2 (f) of Security Council resolution 1739 (2007), UNOCI will continue to strengthen its efforts to protect civilians under imminent threat of physical violence, within its capabilities and its areas of deployment, with particular attention to those specific locations. In addition, UNOCI and the United Nations country team will continue to develop a comprehensive protection of civilians strategy, in accordance with paragraph 24 of Council resolution 1894 (2009), which will cover modalities to assess current and potential threats, options for crisis response, including the UNOCI protection mandate, and risk mitigation measures. UNOCI and the United Nations country team will ensure the designation of dedicated capacity to this end and improved coordination within the system, and with key stakeholders, including humanitarian partners. Protection of civilians is a major contribution to peace consolidation and is clearly not a security issue alone. It has also a socio-economic, humanitarian and human rights dimension, which the United Nations system will address in a holistic manner together with the Government and other stakeholders.

96. The technical assessment mission considered the options developed earlier by my Special Representative regarding the reconfiguration of UNOCI. These included (1) strengthening the UNOCI mandate to organize elections; (2) maintaining the status quo; (3) rationalizing the Operation's mandate and configuration; and (4) withdrawing the Operation. On the basis of its findings, the mission focused on option (3). In this regard, the recommended tasks for UNOCI, set out in this section, would achieve the goal of rationalizing the mandate. As indicated in paragraph 85 above, the current combined strength of the UNOCI uniformed personnel would be maintained until the end of 2010. With regard to the reconfiguration of the Operation, the technical assessment mission explored two options. The first option would adjust the current troop deployment so as to increase troop concentrations in identified high-risk areas. One infantry company currently located in Dabakala would also be redeployed to reinforce the sector reserve located at Bouaké, and the force reserve battalion would be restructured to deploy an additional combat platoon. This adjustment could be achieved relatively quickly. In addition, the strength of the military and police components would be rebalanced by using existing headroom in

the military component to add 50 police officers, to reinforce the existing formed police units, in view of the anticipated increase in civil disturbances and the protection demands.

98. In the second option, UNOCI would increase troop presence where cantonment sites are to be located, while maintaining an observation presence in other areas. Rebalancing of the military and police would be carried out within the current authorized strength, allowing the deployment of one additional formed police unit, comprising 140 officers. An additional infantry company would be deployed to reinforce Sector Abidjan. An additional aviation unit will be required to provide air mobility to the reserves and police units throughout the mission area. This rebalancing would be achieved by repatriating an equivalent number of troops from elsewhere in the mission area.

99. After careful reflection, I recommend that the Security Council endorse the first option maintaining the current combined total authorized strength at 8,650 personnel, with an overall military strength of 7,392, consisting of 7,200 troops and 192 military observers; an overall police strength of 1,250, consisting of 450 individual police officers and six formed police units for a total of 800 officers; and 8 seconded Customs officers. This option can be achieved rapidly, addresses the threat of civil disturbances and strengthens the reserve troops in strife-prone sectors.

100. Unrest before, during and after the elections remains a real threat. I therefore reiterate my earlier recommendation that UNOCI be strengthened for a period of at least three months prior to, and three months after, the elections. In lieu of the battalion from Burkina Faso, which is no longer an option, as I indicated earlier, it will be necessary to reinforce the UNOCI uniformed personnel with up to a total of 500 troops and police by increasing the operational elements of existing formed police units, and two additional infantry companies, with additional aviation elements. The Secretariat will keep the Security Council apprised of developments and technical analysis, as requested.

101. It is clear that the country remains a tinderbox that could ignite easily if the root causes of the conflict remain unaddressed. The welfare of the population continues to deteriorate, owing to deepening poverty, lack of much-needed employment, and minimal access to basic social services, and may fuel civil unrest. UNOCI will intensify its collaboration with the United Nations country team to support peace consolidation in all its aspects and encourage the Government to seek sustainable solutions to land issues; strengthen its efforts to build the capacity of Ivorian civil society to participate meaningfully in the peace process; and support a process of national dialogue, with particular emphasis on the participation of women and young people.

102. I remain concerned about continuing reports of impunity for widespread human rights violations, particularly sexual and gender-based violence including against children, and that national forces perpetrated violations during the violence in February. I therefore call upon the Ivorian authorities to urgently take concrete measures to fight impunity for human rights violations, including by adopting the national strategy to combat sexual violence, with increased support from UNOCI and the United Nations country team. UNOCI will continue to monitor and report on the human rights situation, including as called for in Security Council resolutions 1612 (2005) and 1882 (2009), bringing to the Council's attention all individuals identified as perpetrators of serious human rights violations and instigators of

political violence, including the leaders of partisan youth movements. Biannual public reports on violations of human rights in Côte d'Ivoire and other relevant thematic reports will be issued as appropriate. In addition, UNOCI will strengthen its capacity to monitor and report on sexual violence pursuant to Security Council resolutions 1882 (2009) and 1888 (2009).

103. The negative role of the media, which fans political tensions and incites violence in contravention of the International Covenant on Civil and Political Rights, and the lack of access by all parties to the State media are unacceptable. I encourage the Security Council to take a strong stance on this issue, including through the imposition of targeted sanctions against the concerned media institutions. The Council should also demand equal access by all parties to the State media. UNOCI will continue to monitor developments in the Ivorian media and share its findings, as appropriate, with the Security Council Committee established pursuant to resolution 1572 (2004).

104. I took particular note of the different views of various stakeholders regarding punitive measures against political actors who obstruct the peace process. The Ivorian crisis is complex, and it is important to recognize that some who may be accused of delaying the process now may have made concessions and facilitated major progress at other stages. In addition, progress has always been achieved in small, painstaking steps through dialogue and compromises among the parties. I therefore agree with the Facilitator that punitive measures may be counterproductive and urge the Council to encourage dialogue and political compromises.

105. The technical assessment mission reviewed, as the Security Council requested, the benchmarks that I recommended in paragraph 47 of my report of 8 January 2009 (S/2009/21) and that the Council subsequently endorsed in its resolution 1865 (2009). They are designed to measure progress in the implementation of critical tasks in the Ouagadougou agreements, and continue to provide a useful framework to measure achievements in that regard. A full assessment of the status of their implementation has been provided in the body of this report. UNOCI will continue to keep the benchmarks and the indicators of achievement under review and provide an update on progress made in my next report to the Security Council.

106. UNOCI and the United Nations country team will also review the indicators of achievement to ensure that the priorities I have identified progress concomitantly. For this to succeed, UNOCI and the country team will strengthen their analytical and strategic planning capacities within the context of the Integrated Strategic Framework. I also call upon donors to increase their support to vital peace consolidation activities, which cannot proceed without adequate resources.

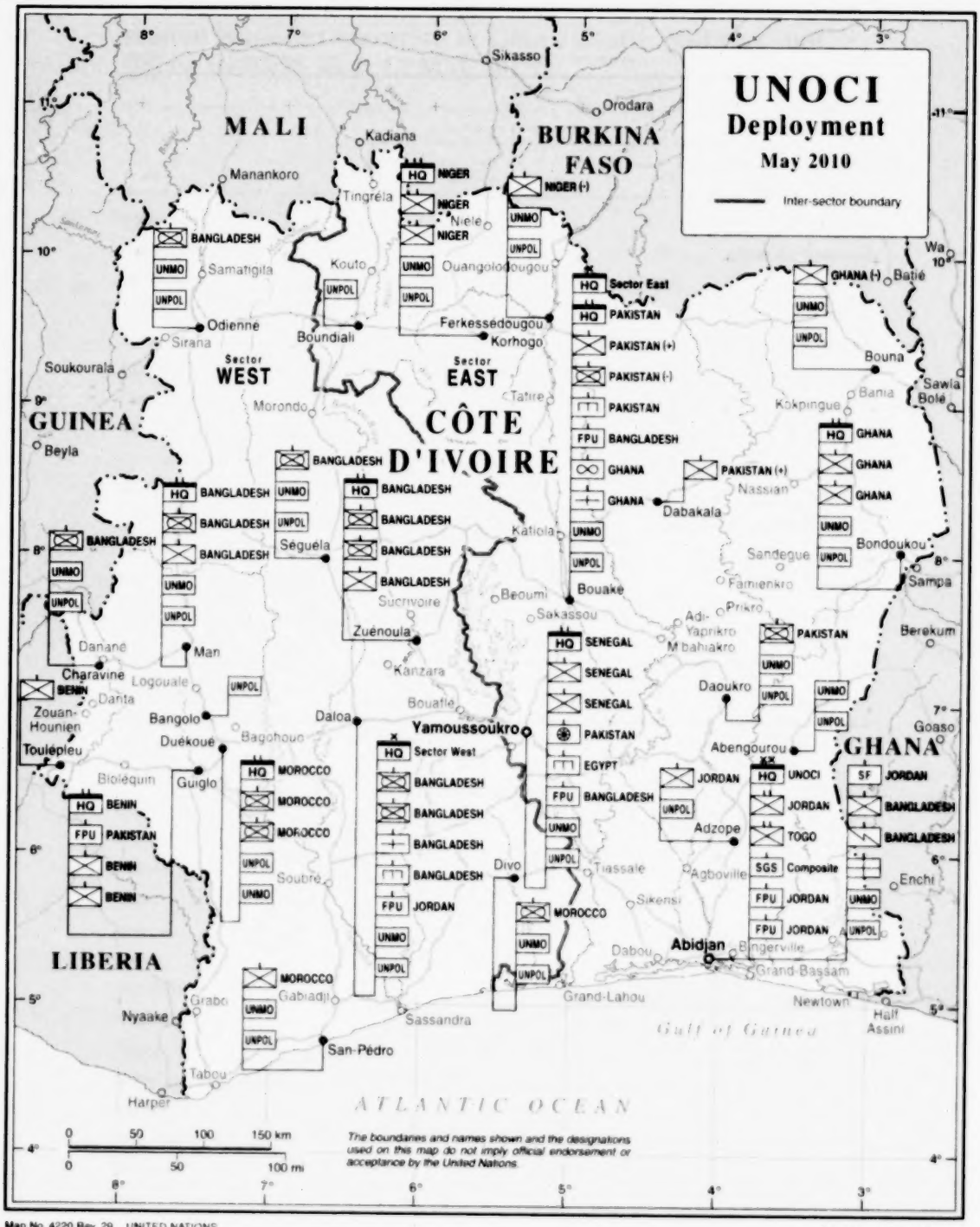
107. In conclusion, I would like to express my appreciation to my Special Representative for Côte d'Ivoire and all UNOCI military, police and civilian personnel for their continuing commitment to supporting the peace process. I am also grateful to the Facilitator of the Ivorian peace process, President Compaoré of Burkina Faso, for his tireless facilitation efforts. Finally, I would like to express my gratitude to all troop- and police-contributing countries, ECOWAS, the African Union, the United Nations agencies, funds and programmes, humanitarian organizations and multilateral and bilateral donors, as well as international and local non-governmental organizations, for their important contributions to the return of peace and stability in Côte d'Ivoire.

Annex

United Nations Operation in Côte d'Ivoire: military and police strength as at 12 May 2010

	Military component				*Police components*	
Country	*Military observers*	*Staff officers*	*Troops*	*Total*	*Formed police units*	*Civilian police*
Argentina						3
Bangladesh	14	11	2 069	2 094	250	
Benin	6	6	420	432		53
Bolivia	3			3		
Brazil	4	3		7		
Burundi						23
Cameroon						50
Canada						4
Central Africa Republic						8
Chad	3	1		4		28
China	4			4		
Djibouti						18
Democratic Republic of the Congo						11
Ecuador	2			2		
Egypt		1	175	176		4
El Salvador	3			3		
Ethiopia	2			2		
France	1	8		9		11
Gambia	3			3		
Ghana	6	8	532	546		15
Guatemala	5			5		
Guinea	3			3		
India	7			7		
Ireland	3			3		
Jordan	7	12	1 046	1 065	374	13
Morocco		3	723	726		
Namibia	2			2		
Nepal	3	1		4		
Niger	5	4	382	391		62
Nigeria	5			5		
Pakistan	11	11	1 127	1 149	125	1
Paraguay	7	2		9		
Peru	3			3		

Country	Military component				Police components	
	Military observers	*Staff officers*	*Troops*	*Total*	*Formed police units*	*Civilian police*
Philippines	4	3		7		
Poland	5			5		
Republic of Korea	2			2		
Republic of Moldova	4			4		
Romania	7			7		
Russian Federation	11			11		
Senegal	11	6	320	337		40
Serbia	3			3		
Switzerland						4
Togo	7	6	309	322		25
Tunisia	7	4		11		
Turkey						18
Uganda	4	2		6		
Ukraine						4
United Republic of Tanzania	1	2		3		
Uruguay	2			2		3
Yemen	8	1		9		4
Zambia	2			2		
Zimbabwe	3			3		
Total	**193**	**95**	**7 103**	**7 391 (female 113)**	**749**	**402 (female 16)**



Map No. 4220 Rev. 29 UNITED NATIONS
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General Assembly
Security Council

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General Assembly
Sixty-fourth session
Agenda items 13 and 18

Security Council
Sixty-fifth year

Prevention of armed conflict

The situation in the occupied territories of Azerbaijan

Letter dated 18 May 2010 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General

By addressing this letter to you, I would like to draw your attention to the ongoing dangerous propaganda campaign of the Government of Azerbaijan during the current session of the General Assembly, examples of which are contained in documents A/64/760-S/2010/211, dated 28 April 2010, and A/64/782-S/2010/239, dated 13 May 2010, circulated by the Permanent Representative of Azerbaijan to the United Nations.

In my previous letters addressing similar communications, I have repeatedly pointed out the destructive nature of the state propaganda machinery of Azerbaijan.

By spreading groundless information and fictitious scenarios orchestrated by its governmental agencies and ministries, Azerbaijan hinders the proceedings of the sixty-fourth session of the General Assembly and demonstrates pitiful efforts to falsify and distort the developments in the region.

The accusations contained in the above-mentioned letters of Azerbaijan are not only baseless and counterproductive, but, more importantly, they endanger the negotiation process for the peaceful and comprehensive resolution of the Nagorno Karabakh issue mediated by the Organization for Security and Cooperation in Europe Minsk Group Co-Chairs.

I would be grateful if you would circulate the present letter as a document of the sixty-fourth session of the General Assembly, under agenda items 13 and 18, and of the Security Council.

(*Signed*) Garen **Nazarian**
Ambassador
Permanent Representative

10-37165 (E) 250510

Please recycle

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Sixty-fourth session
Agenda item 96
General and complete disarmament

Security Council
Sixty-fifth year

Letter dated 19 May 2010 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit herewith the text entitled "Statement by the States members of the Collective Security Treaty Organization (CSTO) — the Republic of Armenia, the Republic of Belarus, the Republic of Kazakhstan, the Russian Federation and the Republic of Tajikistan — in connection with the signature of the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms", adopted on 8 May 2010 at an informal meeting of heads of CSTO member States (see annex).

I should be grateful if you would circulate this as a document of the sixty-fourth session of the General Assembly, under agenda item 96, and of the Security Council.

(*Signed*) Vitaly **Churkin**

10-37089 (E) 240510 240510

Please recycle

Annex to the letter dated 19 May 2010 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

Statement by the States members of the Collective Security Treaty Organization (CSTO) — the Republic of Armenia, the Republic of Belarus, the Republic of Kazakhstan, the Russian Federation and the Republic of Tajikistan — in connection with the signature of the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms

The States members of the Collective Security Treaty Organization (CSTO) welcome the signature of the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms. They consider this agreement to be an important component of the international security architecture that reflects the substantial contribution of Russia and the United States to the cause of nuclear disarmament and non-proliferation. The principle of equal and indivisible security is the cornerstone of the new Treaty on Strategic Offensive Arms. Strict parity has been maintained in all of its provisions.

The new Treaty replaces one of the most significant disarmament agreements in history: the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms (START Treaty). The START Treaty played a historic role in the maintenance of international peace and strategic stability and security. It served as a foundation for the establishment of a qualitatively new atmosphere of trust, openness and predictability in the process of reducing strategic offensive arms, which is reflected in the new Treaty.

In addition to the Russian Federation and the United States of America, the other States parties to the START Treaty were the Republic of Belarus, the Republic of Kazakhstan and Ukraine. The historic role of that Treaty would have been incomplete without the significant efforts undertaken by those States to implement it, or without their full compliance with the commitments assumed under the 1992 Lisbon Protocol. The voluntary renouncement of nuclear weapons by the Republic of Belarus, the Republic of Kazakhstan and Ukraine, and their accession to the Treaty on the Non-Proliferation of Nuclear Weapons as non-nuclear-weapon States, had a beneficial impact on strategic stability as a whole.

The CSTO member States underline the importance of the Joint Statement of 4 December 2009 by the United States of America and the Russian Federation on the Expiration of the START Treaty, which reaffirms the security assurances enshrined in the Budapest Memorandum of 5 December 1994 for the Republic of Belarus, the Republic of Kazakhstan and Ukraine.

In view of the expiration of the 1972 Anti-Ballistic Missile Treaty, the CSTO member States note the crucial importance of the inseparable link enshrined in the Treaty between strategic offensive and defensive arms, and the increasing importance of this interrelationship in the process of strategic offensive arms

reduction. The Treaty was concluded on the basis of the current levels of strategic defensive systems in the Russian Federation and the United States, and a change in these levels entitles each Party to determine its further participation in the process of strategic offensive arms reduction.

We are convinced that any build-up of non-nuclear strategic offensive arms will have a negative impact on international security and strategic stability. The CSTO member States call for continued discussions between the Russian Federation and the United States of America on a whole range of issues related to the establishment of non-nuclear intercontinental ballistic missiles and submarine-based ballistic missiles.

The CSTO member States believe that the new Treaty will help to strengthen the nuclear non-proliferation regime, expand the disarmament process and make it more multilateral in nature. The CSTO member States call on all nuclear-weapon States to join the efforts of the Russian Federation and the United States of America, and to make a more active contribution to the disarmament process.

Moscow, 8 May 2010

United Nations S/2010/248

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Letter dated 19 May 2010 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

I have the honour to convey herewith a concept paper for the Security Council meeting on the theme "Intercultural Dialogue for Peace and Security", to be held on 26 May 2010 in connection with the item entitled "Maintenance of international peace and security" (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Nawaf **Salam**
Ambassador
Permanent Representative

10-37105 (E) 210510

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Annex to the letter dated 19 May 2010 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

Intercultural Dialogue for Peace and Security

Concept paper for the thematic meeting (briefing) proposed by Lebanon, to be held on 26 May 2010

Introduction

The Charter of the United Nations calls upon us, "We the peoples", "to practise tolerance and live together in peace with one another as good neighbours ...", and "to achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion".

The General Assembly adopted the following resolutions: 56/6 of 9 November 2001, on the Global Agenda for Dialogue among Civilizations; 57/6 of 4 November 2002, concerning the promotion of a culture of peace and non-violence; 58/128 of 19 December 2003, on the promotion of religious and cultural understanding, harmony and cooperation; 59/23 of 11 November 2004, on the promotion of interreligious dialogue; 59/199 of 20 December 2004, on the elimination of all forms of religious intolerance; 61/161 of 19 December 2006, on the elimination of all forms of intolerance and of discrimination based on religion or belief; and 61/221 of 20 December 2006, 63/22 of 13 November 2008 and 64/81 of 7 December 2009, on the promotion of interreligious and intercultural dialogue, understanding and cooperation for peace.

In the 2000 Millennium Declaration, while considering fundamental values to be essential to international relations in the twenty-first century, world leaders stressed the importance of tolerance, stating: "Human beings must respect one other, in all their diversity of belief, culture and language. Differences within and between societies should be neither feared nor repressed, but cherished as a precious asset of humanity. A culture of peace and dialogue among all civilizations should be actively promoted." They also underlined the value of the dialogue on interfaith cooperation.

In the 2005 World Summit Outcome, world leaders reaffirmed their commitment "to taking action to promote a culture of peace and dialogue at the local, national, regional and international levels". They also welcomed the Alliance of Civilizations initiative announced by the Secretary-General on 14 July 2005.

The High Representative of the Secretary-General for the Alliance of Civilizations summed up the need for this dialogue based on the fact that "cultural diversity has become a major political issue challenging modern democracies, pluralism, citizenship and social cohesion, as well as peace and stability among nations".

In 2008, upon the initiative of the Custodian of the Two Holy Mosques, Abdullah bin Abdul Aziz of Saudi Arabia, the General Assembly held a high-level meeting on the Culture of Peace.

The General Assembly, in its resolution 62/90, declared 2010 the International Year for the Rapprochement of Cultures.

In the past decade, the Security Council has been increasingly involved in conflict prevention and peacebuilding efforts, in particular since the adoption of resolutions 1366 (2001) and 1645 (2005).

Challenges

In our contemporary world, alienation, misconceptions, lack of respect, exclusion, marginalization and ignorance of the other's culture, traditions, beliefs and history have come to represent a serious threat to peaceful relations among peoples and nations.

Political implications of "essentialist approaches" especially about religions and civilizations, mutual fears, stereotyping, and preconceived ideas have given rise to dangerous acts of violence.

Perceptions of injustice, use of double standards, disregard of international law, situations of occupation and oppression have all created an atmosphere of tension.

In this context, the Security Council in fulfilling its role should, more comprehensively, address the need to promote intercultural dialogue for peace and security in order to overcome prejudice and hostile perceptions, to combat ignorance and xenophobia, and to advance a culture of reconciliation based on the values of respect, tolerance, diversity, equality, justice, protection of human rights and rule of law.

More specifically, Lebanon suggests that through the thematic meeting it proposes to hold on 26 May the Security Council consider "the Intercultural Dialogue for Peace and Security" as an instrument of:

1. **Preventive diplomacy**

   In particular, as a means to:

   - Diffuse tension
   - Support mediation
   - Fight ignorance and prejudice
   - Encourage understanding

2. **Conflict management and resolution**

   In particular, as a means to:

   - Identify common interests
   - Accept differences
   - Underline shared values
   - Support reconciliation efforts

3. **Peace building**

   In particular, as a means to:

   - Turn pluralism into a source of strength
   - Buttress inclusiveness
   - Foster tolerance
   - Consolidate the values of justice, equality and respect

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Sixty-fifth year

Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Letter dated 14 May 2010 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

In addition to my previous letter dated 10 May 2010, I have the honour to transmit herewith a statement of the Ministry of Foreign Affairs of the Republic of Azerbaijan dated 14 May 2010 regarding the so-called "parliamentary elections" to be held on 23 May 2010 in the occupied Nagorno-Karabakh region of the Republic of Azerbaijan (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 14 and 18, and of the Security Council.

(*Signed*) Agshin **Mehdiyev**
Ambassador
Permanent Representative

10-37126 (E) 250510

Please recycle

Annex to the letter dated 14 May 2010 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Statement of the Ministry of Foreign Affairs of the Republic of Azerbaijan

14 May 2010

According to the reports circulated by the mass media outlets of the Republic of Armenia so-called "parliamentary elections" are being arranged to take place in the Nagorno-Karabakh region of the Republic of Azerbaijan on 23 May 2010.

The Ministry of Foreign Affairs of the Republic of Azerbaijan reiterates in this regard that the unrecognized separatist regime in the occupied territories of Azerbaijan represents nothing but an illegal structure established by Armenia on the basis of ethnic cleansing of the Azerbaijani population. The so-called "elections" are conducted in order to camouflage the annexation policy of Armenia and are aimed at consolidation of the results of the continued occupation of the Azerbaijani territories.

Conduct of such "elections" gravely violates the relevant provisions of the Constitution of the Republic of Azerbaijan and the norms and principles of international law, since they are held in the absence of the original Azerbaijani population of the Nagorno-Karabakh region, and, therefore, shall have no legal effect whatsoever.

Any kind of elections in the Nagorno-Karabakh region of the Republic of Azerbaijan may be recognized as fair and free once the expelled Azerbaijani population takes a full, direct and equal part in their conduct in a lawful and democratic environment, equally to the Armenian population of the region. Holding such elections will be possible after the withdrawal of the Armenian occupying forces, normalization of life in the region, creation of the necessary conditions for restoration of the dialogue and cooperation between the Armenian and Azerbaijani communities of Nagorno-Karabakh. These steps will open up the possibility for the elaboration of self-rule status for the Nagorno-Karabakh population within Azerbaijan.

The Republic of Azerbaijan calls upon the Armenian side to stop its destructive practice of illegal steps, which does not have any prospects, and instead to demonstrate goodwill and take a constructive position in the negotiation process, which has dynamically evolved through the last year, in order to find as soon as possible a durable solution to the conflict on the basis of the norms and principles of international law.

United Nations S/2010/250

Security Council

Distr.: General
21 May 2010
English
Original: French

Letter dated 21 May 2010 from the Permanent Representative of Chad to the United Nations addressed to the President of the Security Council

Please find attached, for the attention of the Security Council, a memorandum drawn up by Chad on the future of the United Nations Mission in the Central African Republic and Chad (MINURCAT) (see annex). I would particularly like to draw the Council's attention to the commitment renewed on several occasions by the Government of Chad to maintain the Détachement intégré de sécurité (DIS), to strengthen it, to address its material and financial needs, and to provide it with operational support from the Chadian defence and security forces in order to enable it to perform its mission effectively until the voluntary return of refugees to their places of origin. In addition, I would like to reiterate the commitment of Chad to fulfil its responsibility to protect and ensure the safety and security of civilians and related individuals in accordance with humanitarian law.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Ahmad **Allam-mi**
Ambassador

10-37242 (E) 240510 240510

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Annex to the letter dated 21 May 2010 from the Permanent Representative of Chad to the United Nations addressed to the President of the Security Council

Memorandum on the future of MINURCAT and the post-MINURCAT period

1. According to the 23 April 2010 non-paper between the Government of Chad and the United Nations Secretariat, the new configuration of the MINURCAT military component will consist of 1,900 troops. It will be deployed in two primary locations, Farchana and Goz Beida, and will also maintain a reduced logistics base in Abéché and a headquarters in N'Djamena. The military component will perform the following tasks:

(a) Provide security for MINURCAT personnel in their base locations, facilities, installations and equipment;

(b) Maintain situational awareness in the vicinity of MINURCAT locations;

(c) Provide escort details for United Nations military personnel carrying out enabling support functions; and

(d) Provide extraction support for United Nations and humanitarian personnel, if necessary, in cooperation with Chadian forces.

2. In order to carry out the aforementioned tasks, the 1,900-man military component of MINURCAT will consist of troops, support staff and a rapid reaction force.

3. The new military component will remain in Chad until 15 October 2010. At the end of its mandate, the military component will cease its operations and commence its final withdrawal, which will be a gradual process.

4. The activities of MINURCAT under its civilian mandate will also be assessed on 15 October 2010. The United Nations and the Chadian side will decide on the appropriate measures to take pursuant to the outcome of this assessment.

5. There have been positive developments in the security situation in eastern Chad, despite criticism to the contrary. This is due to the normalization of relations between Chad and Sudan following their N'Djamena Agreement of 15 January 2010. This Agreement led to the deployment of a 3,000-strong joint Chad-Sudan force along their common border. The decision was also taken to open the border between the two countries, which led to action being taken to deny any cross-border movements of armed elements and stem criminal activities.

6. This new context has enabled the Government of Chad to assume full responsibility for the security and protection of the civilian population in the performance of the following tasks:

(a) To ensure the security and protection of civilians in danger, particularly refugees and internally displaced persons;

(b) To facilitate the delivery of humanitarian aid and the free movement of humanitarian personnel by improving security in eastern Chad; and

(c) To ensure the security and freedom of movement of MINURCAT staff and United Nations and associated personnel.

7. It should be recalled that the Government of Chad had withdrawn Chadian military personnel from humanitarian work so that the United Nations force and DIS elements could take their place. In view of the new state of affairs, security will be strengthened if military personnel are relocated to the centres vacated by the United Nations force and if towns are strengthened by elements of the Gendarmerie and the Garde nationale et nomade du tchad (GNNT). The Détachement intégré de sécurité (DIS), which was responsible for security in and around refugee camps and displaced persons' sites within a 10 kilometre radius, will then have a broader scope for action throughout its areas of jurisdiction, in addition to the provision of escort details for humanitarian workers that would need to be arranged in cooperation with other security forces in the region. The security belt in eastern Chad will consist of the following three levels:

- The first level of security comprises the sovereignty forces (the Chadian national army), which are based in the garrison towns along the border from Bahai to Tissi. In addition, the joint Chadian-Sudanese force is based in 10 locations on either side of the border and its current headquarters is in Eldjineina (the Sudan); this will be relocated to Abéché in sixth months;

- The second level comprises the forces of the Gendarmerie Territoriale and GNNT, which are located in all large villages on the side of the border between the DIS area of operations and the garrison towns. There is also a joint disarmament force which continuously patrols the entire eastern area. This is a mobile force which provides support to other security forces, where necessary;

- The third level is the DIS line of surveillance, i.e. the area within and around refugee camps and towns monitored in conjunction with local security forces, such as the gendarmerie and the national police. It should be noted that all these forces have communication devices to exchange information in real time.

8. These three levels of security have already proven to be effective. The activities of the bandits and criminals who used to scour this area until quite recently have now been sharply curtailed because they now lack places of refuge or shelter. We hope that the considerable period of calm that has reigned in the area since the beginning of the year will be maintained and sustained.

9. MINURCAT provides significant communications support to DIS. MINURCAT has just established a mechanism for coordinating DIS activities with local security and administrative bodies through the distribution of VHF radios to Chadian authorities in the main towns in eastern Chad. This system will enable forces to mobilize immediately to combat crimes in real time.

10. Contrary to the views of some Security Council members, who are influenced and encouraged by some malicious NGOs, Chad is now in a position to exercise its sovereign responsibility to provide full security for persons and goods throughout its territory. It should be recalled that at the height of the Darfur crisis, which resulted in the influx of thousands of refugees into its territory, Chad dealt with the situation all alone, providing protection and security for refugees and humanitarian workers alike. Neither the European Union Force (EUFOR) nor MINURCAT existed during that difficult period. Thus, Chadian gendarmes of the Commission nationale d'aide

aux réfugiés (CNAR), précurseur de DIS, prévoyait notamment protection du personnel humanitaire, car il n'y avait pas d'actes criminels ni d'enlèvements de personnel humanitaire jusqu'à l'arrivée de la force multinationale. Ces actes criminels ont commencé à se produire avec la présence de cette force. Des bandes ont profité du vide pour commettre leurs forfaits, ternissant ainsi l'image de notre pays alors que les forces de défense et de sécurité gardaient les frontières et que la force multinationale se terrait derrière des sacs de sable laissés par l'EUFOR.

11. Compte tenu de la situation actuelle, notamment de l'amélioration des relations avec le Soudan, toutes les forces de défense et de sécurité seront mobilisées pour assurer la sécurité de la zone afin de permettre aux travailleurs humanitaires et aux autres acteurs de s'acquitter de leurs tâches dans un climat de paix.

12. La MINURCAT et la Coordination nationale d'appui à la force interétatique au Tchad (COMAFIT) coordonneront toutes ces activités.

13. DIS est composé de gendarmes et de policiers tchadiens. C'est un corps qui a été spécialement créé pour le maintien de l'ordre dans les camps de réfugiés, les camps de personnes déplacées et les localités clefs de l'est du Tchad, et pour assurer la sécurité des opérations humanitaires dans cette partie du pays.

14. Les membres de DIS sont sélectionnés, formés et supervisés par la police internationale (UNPOL) de la MINURCAT et nous en sommes très reconnaissants. Nous voudrions à ce stade reconnaître que la MINURCAT et le Tchad ont vécu une expérience réussie et unique en matière de formation de DIS, qui a été un outil efficace. DIS a fait la fierté de la MINURCAT et du Tchad. Il a été exclusivement chargé de la sécurité dans les camps de réfugiés, les camps de personnes déplacées et les localités clefs, de la police communautaire et de l'escorte des convois humanitaires.

15. C'est pourquoi le Tchad entend maintenir la structure de cette force efficace, qui a été bien formée conformément aux normes internationales relatives aux droits de l'homme, tout en développant sa taille et en la dotant de plus de moyens, même après le retrait de la MINURCAT, jusqu'à ce que la crise du Darfour soit réglée et que les réfugiés soient retournés dans leur patrie.

16. DIS, qui est placé sous le commandement du Représentant spécial du Président du Tchad chargé de la COMAFIT, est mis à la disposition de la MINURCAT jusqu'à l'expiration du mandat de cette dernière. Les membres de DIS restent des gendarmes et des policiers tchadiens qui servent dans leur pays et conservent leurs droits nationaux en plus des primes qu'ils reçoivent de la MINURCAT. Après le retrait définitif de la MINURCAT, le Tchad assumera l'entière responsabilité de DIS en matière de logistique, d'équipement et de financement. Le Gouvernement tchadien espère que, pour ce qui est des besoins et de la gestion de l'espace humanitaire, il pourra compter sur la coopération de ses partenaires des Nations Unies, notamment sur l'appui du Bureau du Haut-Commissaire aux droits de l'homme et du Programme des Nations Unies pour le développement.

17. Le Tchad réitère sa confiance dans la capacité de l'Organisation des Nations Unies de trouver rapidement une solution mutuellement avantageuse pour permettre un retrait progressif de la MINURCAT conformément au calendrier convenu dans le document officieux du 23 avril. Le Tchad espère que le Conseil de sécurité autorisera le Secrétaire général à honorer ses engagements — tous ses engagements — notamment en matière d'infrastructures. Le Tchad serait très déçu si le

Council fail to do so, in which case it reserves the legitimate right to demand payment of fees for airport services, since Chad understood the non-payment of such fees by MINURCAT as being in exchange for the construction of parking aprons at Abéché and N'Djamena for the huge MINURCAT air fleet.

19. The Government of Chad and the United Nations are partners who will have to work together to find a viable outcome to the Darfur crisis to someday permit the voluntary repatriation in secure conditions of the Darfur refugees to their country. We are pleased to note that the internally displaced persons have returned to their home villages thanks to the support measures taken by the Government and its partners. Had it not been for the tendency of some humanitarian agencies to prolong assistance unnecessarily, all these persons would have returned to their villages already. However, this will happen by the end of the year.

Done at New York on 20 May 2010.

United Nations S/2010/251

Security Council

Distr.: General
24 May 2010

Original: English

France: draft resolution

The Security Council,

Recalling its resolutions and statements of its President concerning Chad, the Central African Republic and the subregion, including resolutions 1769 (2007), 1778 (2007), 1834 (2008), 1861 (2009), 1913 (2010) and 1922 (2010),

Reaffirming its commitment to the sovereignty, unity, territorial integrity and political independence of Chad and the Central African Republic, and to the cause of peace in the region,

Reiterating its concern at the humanitarian and security repercussions in eastern Chad and the north-eastern Central African Republic of the ongoing violence in Darfur,

Concerned at armed activities and banditry in eastern Chad, the north-eastern Central African Republic and western Sudan which threaten the security of the civilian population, the conduct of humanitarian operations in those areas and the stability of those countries, and which result in serious violations of human rights and international humanitarian law,

Welcoming the signature on 15 January 2010 by the Governments of Chad and Sudan of an agreement to normalize their bilateral relations, as well as the deployment by the Governments of Chad and Sudan of a joint force under a joint command along their common border with a view to denying the cross-border movement of armed elements and stemming their criminal activities,

Stressing that a proper settlement of the Darfur issue, including through the Doha peace process, the full implementation of the Sirte and Libreville agreements and the efforts of national political dialogue in Chad and the Central African Republic, will contribute to long-term peace and stability in the region and to the voluntary, secure and sustainable return of refugees and internally displaced persons,

Stressing also the importance of achieving dignified durable solutions for refugees and internally displaced persons, notably voluntary, safe orderly return and sustainable reintegration,

Reiterating its full support for the efforts of the Secretary-General, the African Union, other international and regional actors to find solutions to armed conflicts in the region,

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Reaffirming its resolutions 1325 (2000), 1820 (2008), 1888 (2009) and 1889 (2009) on women and peace and security, 1502 (2003) on the protection of humanitarian and United Nations personnel, 1674 (2006) and 1894 (2009) on the protection of civilians in armed conflicts,

Reaffirming its resolutions 1612 (2005) and 1882 (2009) on children and armed conflict, *taking note* of the reports of the Secretary-General on children and armed conflict in Chad (S/2008/532) and in the Central African Republic (S/2009/66) and the recommendations therein, and *recalling* the conclusions adopted by the Working Groups on Children and Armed Conflict in Chad (S/AC.51/2008/15) and in the Central African Republic (S/AC.51/2009/2), as approved by the Council,

Stressing that the Governments of Chad and the Central African Republic bear primary responsibility for ensuring the security of civilians in their territories, with respect for the rule of law, international law, human rights and international humanitarian law,

Bearing in mind the Convention relating to the Status of Refugees of 28 July 1951 and its additional protocol of 16 December 1966, along with the 1969 Convention of the Organization of African Unity governing the specific aspects of refugee problems in Africa, as well as the African Union Convention of 29 October 2009, on the Protection and Assistance of internally displaced persons in Africa,

Emphasizing the need to respect international refugee law, preserve the civilian and humanitarian nature of the refugee camps and internally displaced persons sites and prevent any recruitment of individuals, including women and children, which might be carried out in or around camps and sites by armed groups,

Commending the creation by the Government of Chad, with the logistical, administrative and technical support of the United Nations Mission in the Central African Republic and Chad (MINURCAT), of the Détachement Intégré de Sécurité (DIS) to contribute to the security of refugees and humanitarian workers in key towns, refugee camps and IDP sites and noting that the DIS provides community policing in these sites and escorts for United Nations personnel and humanitarian workers,

Recognizing the responsibility of the Armée nationale tchadienne (ANT) for border security and external threats and of the Gendarmerie and the National Nomad Guard for area security in eastern Chad,

Taking note that the Government of Chad informed the Secretary-General through a note verbale dated 15 January 2010 that it wished MINURCAT to withdraw from Chad as of 15 March 2010, and the letter of the Permanent Representative of Chad dated 3 March (S/2010/115), informing the President of the Security Council of his Government's reconsideration of its earlier request as well as the consultations conducted between 15 January and 23 April 2010 between the Government of Chad and the United Nations Secretariat,

Emphasizing the need for the orderly reduction of the military component of MINURCAT and the continuation of consolidation of the DIS, of judicial and penal systems, of human rights protection and of local conflict resolution mechanisms, while laying the foundation for their sustainability following the termination of the Mission's mandate,

while laying the foundation for their sustainability following the termination of the Mission's mandate,

Having examined the report of the Secretary-General (S/2010/217) of 29 April 2010 (hereinafter referred to as "the Report of the Secretary-General") and its recommendations for the modalities of future presence of MINURCAT,

Determining that the situation in the region of the border between the Sudan, Chad and the Central African Republic constitutes a threat to international peace and security,

1. *Decides* to extend the mandate of MINURCAT until 31 December 2010;

2. *Takes note* of the commitment of the Government of Chad, as recalled in the letter of the Permanent Representative of Chad of 21 May 2010 (S/2010/250), to assume full responsibility for the security and the protection of the civilian population in eastern Chad, including refugees, internally displaced persons, returnees and host communities, with a particular focus on women and children, United Nations and humanitarian personnel and assets, in accordance with its obligations under international humanitarian, human rights and refugee law, and *underscores* that in so doing, the Government of Chad commits to carry out the following tasks:

(i) To ensure the security and protection of civilians in danger, particularly refugees and internally displaced persons;

(ii) To facilitate the delivery of humanitarian aid and the free movement of humanitarian personnel by improving security in eastern Chad;

(iii) To ensure the security and freedom of movement of MINURCAT staff and United Nations and associated personnel;

3. *Notes also* that, in this context, the Government of Chad commits to work towards the achievement of the following benchmarks related to the protection of civilians and humanitarian workers, in accordance with international humanitarian law, as outlined in Security Council resolution 1861 (2009):

(i) Voluntary return and resettlement in secure and sustainable conditions of internally displaced persons;

(ii) Demilitarization of refugee and internally displaced person camps as evidenced by a decrease in arms, violence and human rights abuses;

(iii) Improvement in the capacity of Chadian authorities in eastern Chad, including national law enforcement agencies, the judiciary and the prison system to provide the necessary security for refugees, internally displaced persons, civilians and humanitarian workers with respect for international human rights standards;

4. *Requests* the Government of Chad and the Secretary-General to establish a joint Government of Chad/United Nations high-level Working Group to assess on a monthly basis the situation on the ground with respect to protection of civilians, the measures adopted by the Government of Chad to implement the tasks set out in paragraph 2 and to progress towards meeting the benchmarks set out in paragraph 3, and the capacity of the DIS to provide security inside and around refugee camps and IDP sites, security escorts and area security, in coordination with Gendarmerie and the Nomad Guard;

5. *Acknowledges* the commitment of the Government of Chad to submit to the Security Council by 31 July 2010 the plan it is preparing to ensure the containment of the DIS, post-MINURCAT, working, as necessary, through the high-level joint Working Group;

6. *Decides* that the military component of MINURCAT shall be reduced to 2,200 military personnel (1,900 in Chad and 300 in the Central African Republic) and 25 military liaison officers and *further decides* that MINURCAT should include a maximum of 300 police officers and an appropriate number of civilian personnel;

7. *Calls upon* the Secretary-General to implement the initial withdrawal of the exceeding number of troops by 15 July 2010 and the final withdrawal of the remaining troops beginning on 15 October 2010 and *further calls upon* the Secretary-General to complete withdrawal of all uniformed and civilian MINURCAT components, other than those required for the mission's liquidation, by 31 December 2010;

8. *Decides* that MINURCAT shall have the following mandate in eastern Chad and the north-eastern Central African Republic, in liaison with the United Nations country team and, as appropriate, in liaison with the United Nations Integrated Peacebuilding Office in the Central African Republic (BINUCA) and without prejudice to the mandate of BINUCA:

(i) To select, mentor, monitor, train, advise and facilitate support to elements of the Chadian Détachement intégré de sécurité;

(ii) To liaise with the Chadian Government and the Office of the United Nations High Commissioner for Refugees (UNHCR) in support of their efforts to relocate refugee camps which are in close proximity to the border, and to provide to UNHCR, on availability and cost-reimbursable basis, logistical assistance for that purpose;

(iii) To liaise with the national army, the gendarmerie and police forces, the nomad national guard, the judicial authorities and prison officials in Chad and the Central African Republic, the Sudanese Government, the United Nations Mission in Sudan (UNMIS), the African Union/United Nations Hybrid Operation in Darfur (UNAMID), BINUCA, the Multinational Force of the Economic Community of the Central African States in Central African Republic (MICOPAX) and the Community of Sahelo-Saharan States (CEN-SAD) to exchange information on banditry, criminality and emerging threats to humanitarian activities in the region;

(iv) To support the initiatives of national and local authorities in Chad to resolve local tensions and promote local reconciliation efforts, in order to enhance the environment for the return of internally displaced persons;

(v) To contribute to the monitoring and to the promotion and protection of human rights in Chad, with particular attention to sexual and gender-based violence, and to recommend action to the competent authorities, with a view to fighting impunity;

(vi) To support, within its capabilities, efforts aimed at strengthening the capacity of the Government of Chad and civil society through training in international human rights standards, and efforts to put an end to recruitment and use of children by armed groups;

(vii) To assist the Government of Chad in the promotion of the rule of law, including through support for an independent judiciary and a strengthened legal system, in close coordination with United Nations agencies;

9. *Decides further* that, until the start of the final withdrawal of its military personnel on 15 October 2010, MINURCAT shall be authorized to fulfil the following functions within its capabilities and its area of operation in eastern Chad, in liaison with the Government of Chad:

(i) To provide security for United Nations personnel, facilities, installations and equipment and associated personnel;

(ii) To maintain situational awareness in the vicinity of MINURCAT locations;

(iii) To provide escort for United Nations military personnel carrying out enabling support functions;

(iv) To execute operations of a limited character in order to extract United Nations personnel and humanitarian workers in danger;

(v) To provide medical evacuation support for United Nations personnel;

10. *Decides further* that, without prejudice to paragraph 2 above, MINURCAT, acting within its means and capabilities and where possible in consultation with the Government of Chad, shall be authorized to respond to imminent threats of violence to civilians in its immediate vicinity;

11. *Decides further* that, until the start of the final withdrawal of its military personnel on 15 October, MINURCAT shall be authorized to fulfil the following functions within its capabilities and its area of operation in the north-eastern Central African Republic through its military presence in Birao and in liaison with the Government of the Central African Republic:

(i) To contribute to the creation of a more secure environment;

(ii) To execute operations of a limited character in order to extract United Nations personnel and humanitarian workers in danger;

(iii) To protect United Nations personnel, facilities, installations and equipment and to ensure the security and freedom of movement of its staff and United Nations and associated personnel;

12. *Takes note* that MINURCAT will continue to support the DIS, in accordance with paragraphs 64, 65 and 66 of the report of the Secretary-General, and of the Government of Chad's commitment to take full ownership of the DIS;

13. *Welcomes* the intention of the Government of Chad and the United Nations to establish a forum to foster dialogue and collaboration with the view to reach a common understanding of roles and responsibilities on issues relating to protection of civilians, humanitarian access, safety and security arrangements of humanitarian actors and in order to impact positively on humanitarian and early recovery initiatives;

14. *Takes note* of the letter of the Permanent Representative of Chad of 21 May 2010 (S/2010/250), which recalls the commitment of Chad to sustain the

DIS and requests in this context MINURCAT to initiate the construction of the infrastructure referred to in paragraphs 71 and 79 of the report of the Secretary-General, with the expectation that the plan referred in paragraph 5 will provide adequate assurances that the investments being made in the DIS will be sustained post-MINURCAT;

15. *Requests* the Secretary-General and the Governments of Chad and the Central African Republic to cooperate closely throughout the period of deployment of MINURCAT and requests the Government of the Republic of Chad to fully respect all provisions of the Agreement on the Status of MINURCAT of 21 March 2008 and its amendment of 15 October 2009, and in particular to ensure full freedom of movement of MINURCAT, its members and its contractors as well as of their vehicles and aircraft, and to grant exemptions from all taxes, fees, charges and other duties as provided under the Agreement and its Amendment, for the whole duration of the mandate of MINURCAT but also until its liquidation and the final departure of all its military and civilian personnel from Chad;

16. *Urges* all the Member States, particularly the States bordering Chad and the Central African Republic, to facilitate during the above-mentioned period the withdrawal from Chad and of the Central African Republic, without obstacles or delay, of all personnel, equipment, provisions, supplies and other goods, including vehicles, aircraft and spare parts of MINURCAT;

17. *Underscores* the importance that the military concept of operations and rules of engagement be updated and fully in line with the provisions of this resolution, and requests the Secretary-General to report on them to the Security Council and Troop-Contributing Countries;

18. *Encourages* the donor community to sustain its efforts to address the humanitarian, reconstruction and development needs of Chad and the Central African Republic;

19. *Encourages also* the respective Governments of the Sudan, Chad and the Central African Republic to ensure that their territories are not used to undermine the sovereignty of others, and to cooperate with a view to putting an end to the activities of armed groups in the region;

20. *Welcomes* the N'Djamena agreement of 15 January 2010 on the normalization of relations between Sudan and Chad and previous related agreements and encourages active cooperation for their continued implementation, *encourages* the Government of Chad to continue talks with the armed groups; *demands* that armed groups cease violence immediately and *urges* all parties in Chad and the Central African Republic, respectively, to respect and implement the Sirte agreement of 25 October 2007 and the comprehensive peace agreement signed in Libreville on 21 June 2008;

21. *Encourages* the authorities and political stakeholders in Chad and the Central African Republic to continue to pursue their efforts of national dialogue, with respect for their constitutional frameworks and especially:

(i) *Emphasizes* the importance of the political agreement for the reinforcement of the democratic process in Chad signed in N'Djamena on 13 August 2007, *encourages* the parties to continue with its implementation

and *welcomes* the electoral timetable published by the Independent National Electoral Commission;

(ii) *Calls upon* the Government and all political stakeholders of the Central African Republic to further implement the outcome of the Inclusive Political Dialogue of December 2008, including by successfully completing the Disarmament, Demobilization and Reintegration (DDR) process and *stresses the need for* a clear electoral timetable;

22. *Reaffirms* the obligation of all parties to implement fully the rules and principles of international humanitarian law, particularly those regarding the protection of humanitarian personnel, and furthermore requests all the parties involved to provide humanitarian personnel with immediate, free and unimpeded access to all persons in need of assistance, in accordance with applicable international law;

23. *Encourages* MINURCAT and the United Nations country team to continue to assist the Government to prevent the recruitment of refugees and children by armed groups and to maintain the civilian nature of refugee camps and internally displaced person sites, in coordination with DIS and the humanitarian community;

24. *Takes note* of the measures already undertaken by the authorities of Chad to put an end to the recruitment and use of children by armed groups, *encourages* them to pursue their cooperation with United Nations bodies in this regard, particularly UNICEF, and *calls on* all the parties involved to ensure that children are protected;

25. *Requests* the Secretary-General to continue to keep the Security Council regularly informed and requests him to provide reports by 31 July 2010, 15 October 2010 and 15 December 2010 on the security and humanitarian situation, including movements of refugees and internally displaced persons in eastern Chad and the north-eastern Central African Republic, on the progress in the implementation of the relevant agreements, on the progress towards the fulfilment by the Government of Chad of the tasks and benchmarks set out in paragraphs 2 and 3 above, including on the measures adopted in response to possible shortcomings identified by the joint high-level Working Group referred to in paragraph 4, and on the implementation of the mandate of MINURCAT and *stresses* that it will monitor closely the relevance of the mandate of MINURCAT and review it if necessary;

26. *Further requests* the Secretary-General in his July report to provide an assessment on international and regional options for the Central African Republic, based on his evaluation of the consequences of MINURCAT's departure;

27. *Also requests* the Secretary-General to provide an assessment in his December report on lessons learned in the context of MINURCAT;

28. *Decides* to remain actively seized of the matter.